

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brummett v. Sherman

Brummett · No. 1:20-cv-00622-HBK (PC) · Decided May 22, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Plaintiff Melvin Ray Brummett Jr.'s motion to compel discovery. The court found that the document-production dispute had been resolved and that Plaintiff failed to identify specific deficiencies in Defendants' interrogatory responses or meet his burden to compel further discovery.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 22, 2025
DOCKET	1:20-cv-00622-HBK (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery under Federal Rule of Civil Procedure 37(a), challenging Defendants' responses to interrogatories. After the parties met and conferred, the document-production dispute was resolved, but a dispute concerning the interrogatory responses remained.
STANDARD OF REVIEW	A party moving to compel discovery bears the initial burden of demonstrating that the requested discovery is relevant, necessary, and improperly withheld.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Melvin Ray Brummett Jr. v. Stuart Sherman, D. Lopez, G. Beard, E. Aguirre, P. Garcia, Nkiruka Ndu

TOPICS

- discovery dispute
- civil procedure
- prisoners rights
- section 1983

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether Plaintiff satisfied his initial burden to obtain an order compelling more complete responses to his interrogatories under Federal Rules of Civil Procedure 33 and 37(a).
2. Whether the challenge to Interrogatory No. 10 was moot after Defendants agreed to search for and produce responsive medical records.

HOLDINGS

1. A party moving to compel discovery must adequately identify relevant, necessary information that was improperly withheld and articulate the deficiencies in the opposing party's responses. Plaintiff failed to do so, so the motion to compel was denied.
2. The challenge to Interrogatory No. 10 was moot because the parties resolved the underlying document-production dispute.

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 33, a party may serve written interrogatories that seek information relevant to the claims or defenses in the case.” (at 1)

“Because Plaintiff has not adequately articulated the alleged deficiencies in Defendants’ responses, the Court finds that he has not met his initial burden to compel discovery.” (at 2)

“Plaintiff’s motion to compel discovery (Doc. No. 64) is denied.” (at 2)

FACTUAL BACKGROUND

Plaintiff sought information through interrogatories concerning his claims against Defendant Akabike and challenged Defendants' responses as containing boilerplate objections. The motion also concerned requests for production embedded in several interrogatories, but Defendants agreed to search for and produce responsive medical records concerning Plaintiff's hospital visit. Plaintiff did not identify which specific interrogatory responses improperly withheld relevant information, apart from Interrogatory No. 10, which became moot after the document-production issue was resolved.

PROCEDURAL HISTORY

Plaintiff filed a motion to compel on January 30, 2025. Defendants opposed, Plaintiff replied, and the Court ordered a telephonic meet-and-confer. The parties reported that Defendants would search for and produce responsive medical records, mooting the document-production dispute. The Court denied the remaining motion because Plaintiff did not identify which interrogatory responses improperly withheld relevant information.

DISPOSITION

other

CASES CITED

- Duran v. Cnty. of Riverside, 2024 WL 5260940, at *2 (C.D. Cal. Nov. 22, 2024)
- United States v. McGraw–Hill Cos., 2014 WL 1647385, at *8 (C.D. Cal. Apr. 15, 2014)

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