

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, SOUTHEASTERN DIVISION

Dillonger J. Majors v. Jacob Reeves, et al.

Majors · No. 1:24-cv-00233-SNLJ · Decided February 5, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri denied plaintiff Dillonger J. Majors’s motion to compel discovery. The court held that the motion failed to satisfy Federal Rule of Civil Procedure 37 and Local Rule 3.04 because it lacked the required certification of a good-faith conference and did not provide sufficient information about the discovery sought.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Southeastern Division
WRITING FOR THE COURT	Stephen N. Limbaugh, Jr.
JURISDICTION	United States District Court for the Eastern District of Missouri, Southeastern Division
DECIDED	February 5, 2026
DOCKET	1:24-cv-00233-SNLJ
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery under Federal Rule of Civil Procedure 37. The district court denied the motion.
STANDARD OF REVIEW	The court applied the procedural requirements governing motions to compel under Federal Rule of Civil Procedure 37(a)(1) and Local Rule 3.04.
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- civil procedure
- prisoners rights

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether plaintiff's motion to compel should be granted when it lacked the required good-faith meet-and-confer certification.
2. Whether the motion to compel provided sufficient information for the court to order production of documents or other evidence.

HOLDINGS

1. A motion to compel must include the good-faith conference or attempted-conference certification required by Federal Rule of Civil Procedure 37(a)(1) and Local Rule 3.04; plaintiff's failure to provide that certification required denial of the motion.
2. A motion to compel must provide enough information for the court to identify the discovery dispute and determine what production should be ordered; plaintiff's motion was insufficient because it did not include the discovery at issue or details about when it was served.

KEY QUOTATIONS

“Pursuant to Federal Rule of Civil Procedure 37, a motion to compel “must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action.””

“Pro se litigants are not excused from complying with substantive and procedural law.”

FACTUAL BACKGROUND

Plaintiff sought an order compelling defendants to provide discovery. He did not certify that he had conferred or attempted to confer in good faith with defense counsel, and he did not provide a copy of the discovery at issue or details concerning when it was served. The court noted that plaintiff's incarceration made in-person or telephone communication difficult but concluded that written communication with defense counsel would have been sufficient.

PROCEDURAL HISTORY

Dillonger J. Majors, a pro se incarcerated plaintiff, filed a motion to compel discovery. The court concluded that he had not complied with Federal Rule of Civil Procedure 37(a)(1) or Eastern District of Missouri Local Rule 3.04 and had not supplied sufficient information to permit an order compelling production. The motion was denied.

DISPOSITION

other

CASES CITED

- *Burgs v. Sissel*, 745 F.2d 526, 528 (8th Cir. 1984)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION DILLONGER J. MAJORS,)) Plaintiff,)) vs.) Case No. 1:24-cv-
00233-SNLJ) JACOB REEVES, et al.,)) Defendants.) MEMORANDUM AND ORDER This
matter is before the Court on plaintiff's motion to compel discovery [Doc. 51].

For the following reasons, the motion must be denied. Pursuant to Federal Rule of Civil Procedure 37, a motion to compel "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Fed.R.Civ.Proc. 37(a)(1). Similarly, Local Rule 3.04 provides: The Court will not consider any motion relating to discovery and disclosure unless it contains a statement that [plaintiff] has conferred in person or by telephone with [defendants'] counsel in good faith or has made reasonable efforts to do so, but that after sincere efforts to resolve their dispute, [they] are unable to reach an accord.

This statement also shall recite the date, time and manner of such conference, and the names of the individuals participating therein, or shall state with specificity the efforts made to confer with [defendants'] counsel. Plaintiff has not complied with Rule 37 or Local Rule 3.04.

The Court recognizes that plaintiff's incarceration makes conferring with defendants' counsel in person or by telephone difficult, if not impossible. However, plaintiff can communicate in writing with defendants' counsel, which would be sufficient. Pro se litigants are not excused from complying with substantive and procedural law. *Burgs v. Sissel*, 745 F.2d 526, 528 (8th Cir.

1984). Furthermore, plaintiff has not provided enough information for the Court to order the production of any documents or other evidence. He has not provided a copy of the discovery in question or any details about when it was served on the defendants.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to compel discovery [Doc. 51] is DENIED. SO ORDERED this 5th day of February, 2026. STEPHEN N. LIMBAUGH, " SENIOR UNITED STATES DISTRICT JUDGE