

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Ako Burrell v. Tia Van Winkler, N. Pezdek, D. Traglia, LaPorte, D.
Bektic and Pelligrino

Ako Burrell v. Tia Van Winkler, No. 6:24-CV-1169 (DNH/MJK) (N.D.N.Y. Mar. 23, 2026) · No. 6:24-CV-1169 (DNH/MJK) · Decided March 23, 2026

SUMMARY

The United States District Court for the Northern District of New York denied Ako Burrell’s motions to compel discovery and for admissions based on insufficient answers or objections. The court held that Burrell failed to comply with Local Rule 37.1’s meet-and-confer requirements and that defendants had timely fulfilled their discovery obligations. The court also found that Burrell’s document requests were overly broad and insufficiently specific and that his requests for admission did not comply with Federal Rule of Civil Procedure 36(a)(2).

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Mitchell J. Katz
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	March 23, 2026
DOCKET	6:24-CV-1169 (DNH/MJK)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery and for an order deeming matters admitted based on alleged insufficiency of defendants' answers or objections. Defendants opposed the motions.
STANDARD OF REVIEW	Motions to compel under Federal Rule of Civil Procedure 37 are entrusted to the sound discretion of the district court. The court has broad latitude to determine the scope of discovery and manage the discovery process.
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- civil procedure
- section 1983

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether plaintiff's motions to compel discovery should be denied for failure to comply with N.D.N.Y. Local Rule 37.1's meet-and-confer requirements.
2. Whether defendants complied with their discovery obligations under the Court's scheduling order and the Federal Rules of Civil Procedure.
3. Whether plaintiff's document requests were sufficiently specific and proportional to support an order compelling production.
4. Whether plaintiff's request for admissions complied with Federal Rule of Civil Procedure 36(a)(2).

HOLDINGS

1. A party seeking an order compelling discovery in the Northern District of New York must make good-faith efforts to resolve or narrow discovery disputes and confer in detail with the opposing party before filing the motion; plaintiff failed to satisfy that requirement.
2. Defendants complied with the Court's scheduling order and served their initial disclosures and discovery responses timely; plaintiff was not entitled to an order compelling further responses absent a specific, properly raised dispute.
3. Document requests that lack a reasonable degree of specificity and are overly broad are not proper subjects of a motion to compel, particularly when the requests are not limited to relevant claims or acts.
4. A request for admission must separately state each matter and separately present each document whose genuineness is at issue; plaintiff's compilation of more than 300 pages did not comply with Rule 36(a)(2), so defendants' objection was proper.

KEY QUOTATIONS

"A district court has broad latitude to determine the scope of discovery and to manage the discovery process." (Discussion § II.A)

"Burrell's pro se status does not excuse his failure to abide by the Court's procedural rules." (Discussion § II.B)

FACTUAL BACKGROUND

Defendants served initial disclosures consisting of 277 pages within the time required by the Court's scheduling order and served responses to plaintiff's requests for production and interrogatories. Plaintiff alleged that defendants' responses were late or inadequate, but the record did not show that he identified specific objections or made a meaningful good-faith effort to resolve the disputes before moving to compel. His document demands were broad and nonspecific, and his request for admissions attached a compilation of more than 300 pages rather than separately stated matters or documents.

PROCEDURAL HISTORY

The action is a prisoner civil-rights case in the Northern District of New York. The Court had issued a mandatory pretrial discovery and scheduling order, defendants served initial disclosures and discovery responses, and plaintiff thereafter filed the pending motions. The magistrate judge denied both motions.

DISPOSITION

other

CASES CITED

- EM Ltd. v. Republic of Argentina, 695 F.3d 201, 207 (2d Cir. 2012)
- In re "Agent Orange" Prod. Liab. Litig., 517 F.3d 76, 103 (2d Cir. 2008)
- Harris v. Bronx Parent Hous. Network, Inc., No. 18-CV-11681, 2020 WL 763740, at *1 (S.D.N.Y. Feb. 14, 2020)
- United States v. Sanders, 211 F.3d 711, 720 (2d Cir. 2000)
- Cusamano v. Sobek, 604 F. Supp. 2d 416, 426-27 (N.D.N.Y. 2009)
- Burrell v. Global Tel Link, et al., No. 9:24-cv-1377 (BKS/TWD) (N.D.N.Y. Dec. 23, 2024)
- Kennedy v. Cont. Pharmacal Corp., No. CV 12-2664, 2013 WL 1966219, at *2 (E.D.N.Y. May 13, 2013)
- Henry v. Champlain Enterprises, Inc., 212 F.R.D. 73, 77 (N.D.N.Y. 2003)
- T. Rowe Price Small-Cap Fund v. Oppenheimer & Co., 174 F.R.D. 38, 42 (S.D.N.Y. 1997)
- Lebron v. Sanders, 557 F.3d 76 (2d Cir. 2008) (per curiam)

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