

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Brookins v. Oxford School District, et al.

Brookins v. Oxford School District, No. 3:25-cv-205-SA-JMV (N.D. Miss. Apr. 8, 2026) · No. 3:25-cv-205-SA-JMV · Decided April 8, 2026

SUMMARY

The court denied without prejudice the pro se plaintiff’s motion to determine the sufficiency of defendants’ responses to requests for admissions and motion to compel. The court held that the motions were untimely, were filed after the discovery deadline without good cause, and did not comply with applicable conferral and certification requirements, while permitting reconsideration if specified conditions are satisfied.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Jane M. Virden
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	April 8, 2026
DOCKET	3:25-cv-205-SA-JMV
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to determine the sufficiency of Defendants' responses to requests for admissions and moved to compel discovery responses. The district court denied both motions without prejudice.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether Plaintiff's motion to determine the sufficiency of Defendants' responses to requests for admissions should be granted when it was filed after the discovery deadline and without compliance with the required conference and certification procedures.
2. Whether Plaintiff's motion to compel should be granted when it was filed after the discovery deadline, without good cause for an extension, without the required meet-and-confer process, and without a Rule 37(a)(1) certification.

HOLDINGS

1. A discovery motion filed after the discovery deadline, without a showing of good cause for extending the deadline, may be denied as untimely under the case management order and Local Civil Rules 7(b)(2)(C) and 7(b)(11).
2. A party seeking discovery relief must comply with the required conference process before filing a motion.
3. A motion to compel must include the certification required by Federal Rule of Civil Procedure 37(a)(1) showing a good-faith effort to obtain discovery without court action.

KEY QUOTATIONS

“any non-dispositive motion served beyond the motion deadline imposed in the case management order may be denied solely because the motion is not timely served.”

“Plaintiff’s motion to determine sufficiency of Defendants’ responses to requests for admissions [Doc. 32] and Plaintiff’s motion to compel [Doc. 33] are hereby DENIED without prejudice.”

FACTUAL BACKGROUND

Plaintiff served interrogatories, requests for production, and requests for admission on Defendants shortly before the discovery deadline. Defendants served timely responses and objections on March 6 and March 9, 2026. Plaintiff objected to alleged deficiencies and filed his motions on March 13, after the March 9 discovery deadline, without obtaining an extension, completing the required conference process, or filing a Rule 37(a)(1) certification.

PROCEDURAL HISTORY

The case management order set March 9, 2026, as the discovery deadline. Plaintiff served discovery on February 5, 2026, and amended requests on February 8, 2026; Defendants served responses and objections on March 6 and March 9. Plaintiff filed the motions on March 13, after the discovery deadline, without first completing the required conference process or filing the required good-faith conference certification. The court denied the motions without prejudice and specified conditions for any renewed motions.

DISPOSITION

other

CASES CITED

- United States ex rel. Jehl v. GGNSC Southaven LLC, No. 3:19-CV-91-MPM-JMV, 2021 WL 2637278, at *1 (N.D. Miss. June 25, 2021)
- Pers. v. Ford Motor Co., 2011 WL 13157355, at *2 (N.D. Miss. Aug. 11, 2011)
- Gueniot-Kornegay v. Blitz U.S.A., Inc., 2013 WL 160259, at *1 (S.D. Miss. Jan. 15, 2013)
- Full House Resorts, Inc. v. Boggs & Poole Contracting Grp., Inc., 2015 WL 4478495, at *3 (S.D. Miss. July 22, 2015)
- Funches v. Mississippi Dev. Auth., 2018 WL 9878315, at *2 (S.D. Miss. Feb. 27, 2018)

OPINION

Brookins

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF MISSISSIPPI

OXFORD DIVISION

KENNETH JASON BROOKINS PLAINTIFF

V. CIVIL ACTION NO.: 3:25-cv-205-SA-JMV

OXFORD SCHOOL DISTRICT, ET AL. DEFENDANTS

ORDER DENYING MOTION TO DETERMINE SUFFICIENCY OF DEFENDANTS'

RESPONSES TO REQUESTS FOR ADMISSIONS AND

DENYING MOTION TO COMPEL

This matter is before the Court on the pro se Plaintiff's motion to determine sufficiency of Defendants' responses to requests for admissions [Doc. 32], as well as Plaintiff's motion to compel [Doc. 33]. For the reasons that follow, both of the motions are due to be denied. Pursuant to the Case Management Order [Doc. 12] entered in this case on September 9, 2025, the discovery deadline ran on Monday, March 9, 2026. No motion, timely or otherwise, has been filed to extend the same. On February 5, 2026, thirty-one days prior to the discovery deadline, Plaintiff propounded his first discovery (Interrogatories, Requests for Production, and Requests for Admission) to the Defendants [Doc. 22]. On February 8, 2026, he submitted amended discovery requests to the Defendant School District. The District served timely responses and objections to the requests on March 6 and March 9, 2026. [Docs. 29, 30, 21]. Plaintiff emailed counsel on those same dates regarding alleged deficiencies in the District's responses and filed the instant motions on March 13, 2026, though not having first received a response from Defendant to his March 6th and 9th emails, nor having, as required by the Case Management Order and Fed. R. Civ. P. 16(b)(3)(B)(v), conferenced by phone first with the Court and counsel. In addition, Plaintiff did not attach to the motion, as required by Fed. R. Civ. P. 37(a)(1), a certification that he had, 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. Moreover, having been filed after the

discovery period was over and without a showing of good cause, the motion to compel violates L.U. Civ. R. 7(b)(2)(C), which requires that “a party must file a discovery motion sufficiently in advance of the discovery deadline to allow response to the motion, ruling by the court, and time to effectuate the court’s order before the discovery deadline.” Finally, the late submission of the instant discovery motions is subject to L.U. Civ. R. 7(b)(11), which provides that “any non-dispositive motion served beyond the motion deadline imposed in the case management order may be denied solely because the motion is not timely served.” All of the foregoing failures are basis on which this Court routinely denies late discovery motions¹, and in the absence of any good cause offered to excuse the same, the Court, in this instance, will similarly deny the instant discovery motions. Provided however, the Court does so without prejudice to Plaintiff reurging his motions should the following all occur: 1) A meritorious motion to extend the discovery deadline is filed and granted²; 2) Plaintiff submits any alleged deficiencies in the discovery responses to Defendant in writing and allows Defendant a reasonable opportunity to respond to the same; 1 United States ex rel. Jehl v. GGNCS Southaven LLC, No. 3:19-CV-91-MPM-JMV, 2021 WL 2637278, at *1 (N.D. Miss. June 25, 2021) (collecting cases); Pers. v. Ford Motor Co., 2011 WL 13157355, at *2 (N.D. Miss. Aug. 11, 2011) (denying as untimely discovery motions filed three days prior to the close of the discovery deadline); Gueniot- Kornegay v. Blitz U.S.A., Inc., 2013 WL 160259, at *1 (S.D. Miss. Jan. 15, 2013) (denying as untimely a motion to compel filed two days prior to discovery deadline); Full House Resorts, Inc. v. Boggs & Poole Contracting Grp., Inc., 2015 WL 4478495, at *3 (S.D. Miss. July 22, 2015) (denying motions to compel filed six-and-eight days prior to discovery deadline); Funches v. Mississippi Dev. Auth., 2018 WL 9878315, at *2 (S.D. Miss. Feb. 27, 2018) (denying as untimely a motion to compel filed four days prior to the discovery deadline). 2 There is no assurance such motion—even if otherwise meritorious—could be granted depending on other existing deadlines. 3) Then, Plaintiff confers with defense counsel and the Court regarding any unresolved discovery responses; and 4) A certificate of compliance with Local Rule 37(a) (requiring a Good Faith Certificate [Official Form No. 4]) must be filed with any reurged discovery motion(s). For the foregoing reasons, Plaintiff’s motion to determine sufficiency of Defendants’ responses to requests for admissions [Doc. 32] and Plaintiff’s motion to compel [Doc. 33] are hereby DENIED without prejudice. SO ORDERED, this the 8th day of April, 2026. /s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE