

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Jay Bradshaw v. Matthew Welch, Gabriel Orbegazo, Nathan Locke,
C.O. Russell, CPT. Gravlin, Donald Uhler, Eric Marshall, C.O.
Kilcoyne, C.O. Mitchell, C.O. McCargar, CPT. Vesneske, C.O.
Gordon, C.O. Dumas, C.O. Olsen, and Reginald Bishop

Bradshaw v. Welch · No. 9:21-CV-826 · Decided January 6, 2026

SUMMARY

The court denied plaintiff Jay Bradshaw’s second motion to compel discovery in his civil rights action arising from a July 12, 2021 use-of-force incident at Upstate Correctional Facility. The motion was untimely under the applicable discovery deadlines and local rules, and the court alternatively found that defendants had adequately responded and that the requested materials were irrelevant, overbroad, disproportionate, or presented security concerns.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Paul J. Evangelista
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	January 6, 2026
DOCKET	9:21-CV-826
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel defendants to produce documents responsive to his eighth request for production in an ongoing prisoner civil-rights action. The magistrate judge denied the motion as untimely and, alternatively, on the merits.
STANDARD OF REVIEW	Discovery rulings and motions to compel are reviewed under the district court’s broad discretion and sound discretion in managing the discovery process.
PRECEDENTIAL VALUE	unpublished
PARTIES	Jay Bradshaw v. Matthew Welch, Gabriel Orbegazo, Nathan Locke, C.O. Russell, CPT. Gravlin, Donald Uhler, Eric Marshall, C.O.

Kilcoyne, C.O. Mitchell, C.O. McCargar, CPT. Vesneske, C.O.
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TOPICS

discovery dispute prisoners rights civil rights police misconduct civil procedure

PRACTICE AREAS

civil procedure prisoner civil rights discovery

QUESTIONS PRESENTED

1. Whether plaintiff's second motion to compel was timely under the court's scheduling order and Local Rules 16.2 and 37.1(h).
2. Whether defendants adequately responded to plaintiff's requests for security videos, planning grids, and unit activity logs under Federal Rule of Civil Procedure 26.
3. Whether the requested discovery was relevant and proportional to the needs of the case.

HOLDINGS

1. The motion to compel was untimely because it was filed more than fourteen days after the March 11, 2025 discovery deadline, and plaintiff offered no justification for the late filing.
2. Even if timely, the motion to compel would be denied because defendants adequately responded and the requested discovery was either subject to legitimate security concerns, already produced, or irrelevant, overbroad, burdensome, and disproportionate to the needs of the case.

KEY QUOTATIONS

"Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." (Legal standards)

"A plaintiff's pro se status does not excuse failure to abide by the District Court's procedural rules."
(Discussion)

FACTUAL BACKGROUND

The underlying action arises from a July 12, 2021 use-of-force incident at Upstate Correctional Facility. Plaintiff sought security videos, planning grids for April through July 2021, and unit activity logs for the same period. Defendants asserted security risks, lack of relevance, overbreadth, burden, and disproportionality, and stated that plaintiff had already reviewed the relevant videos and received the relevant July 12, 2021 records.

PROCEDURAL HISTORY

The action concerns an alleged use-of-force incident at Upstate Correctional Facility on July 12, 2021. After a discovery conference, the court extended the discovery deadline to March 11, 2025. Plaintiff filed his second

motion to compel on April 14, 2025, seeking security videos, planning grids, and unit activity logs. Defendants opposed the motion, and the court denied it.

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)
- Cisse v. Mitchell, 22-CV-6071FPG, 2024 WL 2794251, at *2 (W.D.N.Y. May 31, 2024)
- Henry v. Liberty, 9:15-CV-1108, 2017 WL 633409, at *5 (N.D.N.Y. Feb. 16, 2017)
- Cusamano v. Sobek, 604 F. Supp. 2d 416, 426-27 (N.D.N.Y. 2009)
- McNeil v. U.S., 508 U.S. 106, 113 (1993)
- Brunson v. Jonathan, 677 F. Supp. 2d 640, 642 (W.D.N.Y. 2010)

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