

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RICHARD PATTERSON,

Plaintiff,

-against-

ORDER

CV 08-1694 (JFB)(ARL)

OFFICER # 1171, et al.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is the *pro se* plaintiff's request to order the defendant, his attorney and the jail "to turn over all paperwork documents names officers places dates to the plaintiff as soon as possible." The plaintiff also seeks to postpone "depositions" because he is incarcerated and may be moved. The plaintiff's request to compel discovery is denied at this time. The plaintiff's request to postpone the depositions is denied as moot.

By order dated September 11, 2008, the plaintiff requested a stay of discovery and that request was granted. The plaintiff sought the stay believing that he would be released from jail on or about October 17, 2008. The court directed the plaintiff to write as soon as he was released so that the stay could be lifted and a revised scheduling order could be issued by the court. The plaintiff never contacted the court regarding the revised schedule and remains incarcerated.

The plaintiff is directed to advise the court if he wishes to proceed with discovery while he is incarcerated. If the plaintiff does want to lift the stay, the court will enter a revised scheduling order which directs the exchange of narrative statements that may contain some of the information the plaintiff is now seeking. To the extent the plaintiff is seeking documents from the defendant or the non-party jail, he must first make a request to the defendant or the non-party. The plaintiff may only seek judicial intervention if a dispute arises.

Dated: Central Islip, New York
December 9, 2008

SO ORDERED:

/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge