

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DEON C. STAFFORD, MR. SR</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>DONALD T. VAUGHN</b>	:	<b>NO. 02-3790</b>
<b>(SUPERINTENDENT), MANNY ARROYO</b>	:	
<b>(DEPUTY SUPERINTENDENT), DAVID</b>	:	
<b>DIGUGLIELMO (DEPUTY</b>	:	
<b>SUPERINTENDENT), GEORGE</b>	:	
<b>HILTNER (SUPERVISOR</b>	:	
<b>MAINTENANCE), KNAUR, MRS., and</b>	:	
<b>MSCURDY, MR.</b>	:	
<b>Defendants.</b>	:	

**ORDER AND MEMORANDUM**

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of January, 2005, upon consideration of *pro se* plaintiff's Motion for an Order Compelling Discovery (Document No. 17, filed July 14, 2004), *pro se* plaintiff's letter/request of July 18, 2004 (Document No. 20, filed July 22, 2004), and the related submissions of the parties, **IT IS ORDERED** that *pro se* plaintiff's Motion for an Order Compelling Discovery (Document No. 17), and *pro se* plaintiff's letter/request of July 18, 2004 (Document No. 20), requesting discovery, are **GRANTED IN PART AND DENIED IN PART**, as follows:

1. To the extent not previously provided to plaintiff, defendants shall, within twenty (20) days of the date hereof, provide plaintiff with unredacted copies of all reports and other records covering (a) plaintiff's accident; (b) the six (6) prior accidents involving the steps in question; and, (c) maintenance and repair records covering the steps in question for three (3) years before plaintiff's accident, and one (1) year after plaintiff's accident. If defendants believe any part of

any such documents should be redacted, they shall, within ten (10) days, provide the Court with the details of each request for redaction, and the reason why they seek redaction; and,

2. Defendants shall, within twenty (20) days of the date hereof, provide plaintiff with the names of the correction officers who investigated the six (6) prior accidents involving the steps in question.

**IT IS FURTHER ORDERED** that, excepting only as noted above, *pro se* plaintiff's Motion for an Order Compelling Discovery (Document No. 17) and his letter/request of July 19, 2004 (Document No. 20), requesting discovery, are **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff is granted leave to file and serve a supplemental response to the pending Motion for Summary Judgment on or before February 28, 2005. In this submission, plaintiff may address matters covered by discovery received after plaintiff filed his response to the Motion for Summary Judgment. Two (2) copies of any supplemental response by *pro se* plaintiff shall be served on the Court (Chambers, Room 12613) when the original is filed. The Court will proceed to decide the pending Motion for Summary Judgment after February 28, 2005, whether or not *pro se* plaintiff files a supplemental response to the Motion.

**IT IS FURTHER ORDERED** that plaintiff and defense counsel shall endeavor to resolve any remaining discovery disputes and, if they are unsuccessful, any such discovery disputes shall be presented to the Court by letter to Chambers (Room 12613) in which the issues are set forth. Any such letter shall be submitted within twenty (20) days of the date hereof.

#### **MEMORANDUM**

The above Order covers a myriad of discovery requests submitted by *pro se* plaintiff over

a period of more than six (6) months. In reviewing discovery material provided to him, *pro se* plaintiff complains that defendants have not provided him with work orders for the A-Block stairs on which he fell that were prepared CO Bratcher and Sergeant Opalka, and that they have likewise failed to give him the Incident Report written by CO Bratcher concerning his accident of July 20, 2000. *Pro se* plaintiff also complains that he has received work orders from 1997 and 1998, but none for 1999 or 2000. To the extent that any of these documents can be located by defendants, defendants shall provide copies to plaintiff within twenty (20) days of the date hereof.

**BY THE COURT:**

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**JAN E. DUBOIS, J.**