

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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CRAIG WILSON	:	
	:	3:09 CV 937 (JBA)
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V.	:	
	:	
ROBERT MARTIN, ET AL.	:	SEPTEMBER 14, 2010
	:	
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SUPPLEMENTAL RULING ON DEFENDANT’S SECOND MOTION TO COMPEL DISCLOSURE

Familiarity is presumed with this Magistrate Judge’s Ruling on Defendant’s Second Motion to Compel Disclosure, filed August 26, 2010 (Dkt. #28)[“August Ruling”], which concerned defendants’ request to inspect or examine plaintiff’s “bloody jeans and sweat pants.”¹ The August Ruling required the custodian of the blood stained jeans and sweat pants to contact the U.S. District Court Staff Attorneys, 915 Lafayette Boulevard, Bridgeport, CT 06604, by September 7, 2010, and to deliver the blood stained jeans and sweat pants, to the Staff Attorneys by September 13, 2010. (At 1-2). The Staff Attorneys have notified this Magistrate Judge that they did not hear from the custodian, nor did the custodian deliver the bloody jeans and sweat pants to their office. Accordingly, defense counsel may move to preclude their introduction at trial. (At 2).

This is not a Recommended Ruling but a Ruling on discovery, the standard of review of which is specified in 28 U.S.C. § 636; FED. R. CIV. P. 6(a), 6(e) & 72; and Rule 72.2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the District Judge upon timely made objection.

¹ Plaintiff filed an untimely objection (Dkt. #29), in which he stated that he explained “in full detail” at his deposition on August 13, 2010 “what happened and why the bloody jeans/sweat pants [weren’t] presented.”

See 28 U.S.C. § 636(b)(**written objections to ruling must be filed within fourteen calendar days after service of same**); FED. R. CIV. P. 6(a), 6(e) & 72; Rule 72.2 of the Local Rules for United States Magistrate Judges, United States District Court for the District of Connecticut; Small v. Secretary, H&HS, 892 F.2d. 15, 16 (2d Cir. 1989)(**failure to file timely objection to Magistrate Judge's recommended ruling may preclude further appeal to Second Circuit**).

Dated at New Haven, Connecticut, this 14th day of September, 2010.

/s/ Joan G. Margolis, USMJ
Joan Glazer Margolis
United States Magistrate Judge