

100<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF BLACK ACRE  
STATE OF LOUISIANA

NO. 123-456

DIVISION "A"

JANE DOE,

Petitioner,

-versus-

JOHN DOE,

Defendant.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS WITH INCORPORATED  
MEMORANDUM<sup>1</sup>**

NOW INTO COURT, in proper person, comes mover, JOHN DOE, SR., who represents as follows:

I.

On \_\_\_\_\_<sup>2</sup>, mover, JOHN DOE, SR, forwarded, via fax and certified mail, Interrogatories and a Request for Production of Documents to the attorney of respondent, JANE DOE. A copy of the Interrogatories and Request for Production of Documents is attached hereto as Exhibit "A" *in globo*. Copies of the Return Receipt and accompanying transmittal letter are attached hereto as Exhibit "B" *in globo*.

II.

The responses to the outstanding discovery were due on \_\_\_\_\_<sup>3</sup>. Respondent did not respond to the Interrogatories nor has she responded to the Request for Production of Documents.

III.

On \_\_\_\_\_<sup>4</sup>, pursuant to the Uniform Rules of District Courts, mover noticed a Rule 10.1 Conference. On \_\_\_\_\_<sup>5</sup>, at that Conference, attorney for the respondent

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<sup>1</sup> The United States Supreme Court has held that the allegations of a pro se litigant's pleadings are to be held "to less stringent standards than formal pleadings drafted by lawyers." *Haines v. Kerner*, 404 U.S. 519, 520, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972). Article 865 of the Louisiana Code of Civil Procedure mandates that every pleading shall be construed as to do substantial justice.

<sup>2</sup> Date that you sent the Interrogatories and Requests for Production of Documents.

<sup>3</sup> Date that the Interrogatories and Requests for Production of Documents were due, 15 days from the date you sent them.

<sup>4</sup> The date that you sent the Notice of the Rule 10.1 Conference.

<sup>5</sup> Date that the Rule 10.1 Conference was held.

summarily announced that he would have the responses the following week. No have been received as of this date. See Exhibit "C" *in globo* attached hereto and made a part hereof.

IV.

Respondent's failure to respond have hindered mover from fully preparing for the trial on this matter.

V.

Until the requested responses are submitted, mover, JOHN DOE, is unable to prepare for trial or narrow the issues for trial.

VI.

Mover, JOHN DOE, seeks an order, pursuant to La. C.C.P. Art. 1469, compelling respondent, JANE DOE, respond to the outstanding discovery, in addition to ordering Respondent pay reasonable expenses, including all court costs and actual attorney's fees, incurred in seeking this order to compel, which was required by respondent's failure to comply with the provisions of the Louisiana Code of Civil Procedure.

WHEREFORE, mover, JOHN DOE, pursuant to Article 1469 of the Louisiana Code of Civil Procedure, moves this Honorable Court for an order requiring the respondent JANE DOE, to respond to mover's Interrogatories and Request for Production of Documents and for any and all appropriate sanctions this Honorable Court deems appropriate, including court costs and attorney's fees incurred in the bringing of this Motion to Compel.

Respectfully Submitted,

JOHN DOE  
123 Maple Leaf Drive  
Black Acre, Louisiana 70000  
(504) 555-1212

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JOHN DOE  
In Proper Person

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**ORDER**

Considering the above and foregoing motion:

IT IS HEREBY ORDERED that a Rule Nisi is issued herein, directed to respondent, JANE DOE, ordering her to show cause on the \_\_\_ day of \_\_\_\_\_, 2004, at \_\_\_\_\_ o'clock a.m./p.m.:

- 1.) why she should not be ordered to respond to the discovery requests of mover as more fully described in the attached motion; and,
- 2.) why she should not be sanctioned as deemed appropriate by this Honorable Court, including attorney's fees and court costs incurred in pursuing this motion.

Signed at Black Acre, Louisiana, this \_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
JUDGE

**PLEASE SERVE:**

JANE DOE  
*Through her attorney of record*  
Support Inc.  
Attorneys at Law  
123 Canal Street  
Black Acre, Louisiana 70000