STATE OF MICHIGAN

COURT OF CLAIMS

VINCE BURGESS,

Plaintiff,

v

Case No. 26-000112-MM

MICHIGAN STATE POLICE,

Hon. Sima G. Patel

Defendant.
_____/

ORDER STRIKING PLAINTIFF'S 8/25/26 DISCOVERY REQUEST

On August 25, 2026, defendant filed both an answer to plaintiff's amended complaint and a motion for summary disposition pursuant to MCR 2.116(C)(7) and (8). Two hours later, plaintiff filed a first request for the production of documents and interrogatories. This discovery request is premature.

In general, pursuant to MCR 2.301(A), "[A] party may seek discovery only after the party serves its initial disclosures under MCR 2.302(A)." The initial disclosures required by MCR 2.302(A) are not due until 14 days after defendant files an answer to the complaint. MCR 2.302(A)(5)(b)(*i*). However, the court rules permit the Court to "control the scope, order, and amount of discovery" in a proceeding. MCR 2.301(C). This Court's practice is to not permit discovery until motions for summary disposition filed in response to a complaint are resolved. In this case, discovery will begin on Order of the Court only after defendant's August 25, 2026 motion for summary disposition is resolved.

Accordingly, the Court STRIKES plaintiff's August 25, 2026 discovery request. The request may be refiled if the Court denies defendant's motion for summary disposition.

Date: August 27, 2026

Hon. Sima G. Patel
Judge, Court of Claims