

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ANGEL NAVARRO

v.

C.A. NO. 08-012 ML

A.T. WALL, ET AL.

MEMORANDUM AND ORDER

Plaintiff, Angel Navarro, *pro se*, an inmate at the Adult Correctional Institutions in Cranston, Rhode Island, filed a complaint with the Court under 42 U.S.C. § 1983 (“§ 1983”) complaining about the conditions of his confinement (Docket #1).

Presently before the Court are multiple motions filed by plaintiff:

- (i) Motion to Amend Complaint (Docket #11);
- (ii) Motion for Service by the United States Marshals (Docket #7); and
- (iii) Two Motions to Compel Discovery (Dockets #10 & #15).

In a Report and Recommendation filed simultaneously herewith, I have recommended that the instant action be dismissed due to plaintiff’s failure to exhaust administrative remedies as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a). The amendments plaintiff seeks here would not correct his failure to exhaust administrative remedies, and thus would be futile. *See Forman v. Davis*, 371 U.S. 178, 182 (1962)(citing futility of amendment as a reason to deny a motion to amend). Similarly, plaintiff’s Motion for Service by the United States Marshals and Motions to Compel Discovery are moot.

Accordingly, plaintiff’s motions are hereby **DENIED**.

IT IS SO ORDERED.

Jacob Hagopian
Senior United States Magistrate Judge
October 21, 2008