

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

STACIE SWIGGINS

PLAINTIFF

v.

CASE NO. 4:09-CV-00388 BSM

TOBACCO SUPERSTORES (LARRY COBB)

DEFENDANT

ORDER

Defendant Tobacco Superstores filed its motion to compel discovery responses on November 16, 2009, stating that it served plaintiff Stacie Swiggins with written discovery by mail on September 24, 2009. As of the date of the motion, Swiggins had not responded to the discovery. Swiggins's response to the motion to compel was due on November 30, 2009. To date, Swiggins has not responded to the motion.

For good cause shown, the motion is granted. Swiggins is directed to provide responses to the outstanding discovery on or before December 16, 2009. Swiggins is cautioned that failure to timely comply with this order may result in dismissal of her case without prejudice for failure to prosecute, which may ultimately bar her claims due to Title VII statute of limitations issues.

Swiggins is hereby notified that Rule 5.5(c)(2) of the Rules of the United States District Courts for the Eastern and Western Districts of Arkansas requires *pro se* litigants to: (1) promptly notify the court and the other parties in the case of any change of address; (2) to monitor the progress of the case; and (3) to prosecute or defend the action diligently. Moreover, Swiggins should be aware that the rule further provides that the failure of a *pro*

se plaintiff to respond to any communication from the court within thirty (30) days may result in dismissal of the plaintiff's case. Finally, any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure as well as the Local Rules of this court. A copy of the Local Rules may be obtained from the District Clerk for the Eastern District of Arkansas. The Federal Rules of Civil Procedure are available in many libraries (including this court's 2nd floor library, Room 216) and bookstores.

Accordingly, defendant's motion to compel (Doc. No. 19) is granted. Swiggins is directed to provide responses to the outstanding discovery on or before December 16, 2009.

IT IS SO ORDERED THIS 2nd day of December, 2009.



UNITED STATES DISTRICT JUDGE