

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

MARTIN RICHARDS,
ADC #148155

PLAINTIFF

v.

4:10-cv-00245-BRW-JTK

NURSE LUMPKIN, et al.

DEFENDANTS

ORDER

This matter is before the Court on several motions filed by the parties.

1. Plaintiff’s Motion for Order for Subpoena (Doc. No. 54) - Plaintiff asks that a witness be subpoenaed to appear at the Pre-Jury Hearing, scheduled for March 8, 2011. Typically, however, this Court does not permit the testimony of witnesses at such hearings. The Court will direct the Clerk of the Court to re-docket this Motion as a Request for a Witness at the forthcoming Hearing.

2. Plaintiff’s Motions to Compel (Doc. Nos. 57, 58) - In these Motions, Plaintiff asks the Court to compel Defendants to provide responses to his discovery requests. In their Responses (Doc. Nos. 60, 61), Defendants state they have responded to the requests for admission and production of documents, and provide a copy of their responses. In addition, Defendants move for an extension of time, until January 26, 2011, in which to submit discovery responses from Defendant Lumpkin, as she is no longer employed at the Faulkner County Detention Center and Defendants need additional time in which to obtain her answers.

In light of Defendants’ Response to Plaintiff’s Motion, together with their Motion for an Extension of Time, the Court will deny Plaintiff’s Motions, without prejudice. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion for Order for Subpoena (Doc. No. 54) shall be construed as a Request for a Witness, and shall be re-docketed as such.

2. Plaintiff's Motions to Compel (Doc. No. 57, 58) are DENIED without prejudice.

3. Defendants' Motion for an Extension of Time (Doc. No. 60) is GRANTED.

Defendants shall submit their responses to Plaintiff's discovery requests by January 26, 2011.

IT IS SO ORDERED this 20th day of January, 2011.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE