

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

SENO CARTER
REG. #17198-045

PLAINTIFF

V.

NO: 4:10CV01533 JMM/HDY

HARLEY LAPPIN *et al.*

DEFENDANTS

ORDER

On March 10, 2011, Plaintiff Seno Carter filed a motion to compel Defendants to respond to his discovery requests (docket entry #16), and a motion for leave to file exhibits as evidence (docket entry #17).

Motion to compel

In his motion to compel, Plaintiff seeks an order compelling responses to interrogatories and requests for production of documents which he filed on November 1, 2010. Service of the summons and complaint was not ordered until January 19, 2011, and Defendants have not yet responded to Plaintiff's complaint. After Defendants have filed a response to Plaintiff's complaint, he may serve discovery requests upon them. Accordingly, an order compelling responses to his interrogatories and requests for production would be inappropriate at this time.

Motion for leave to file exhibits

According to Plaintiff, he wishes to present certain exhibits and affidavits which would aid the Court in its consideration of his case. However, such evidence is not necessary at this time. Plaintiff should keep the exhibits with his records, and may submit them in support of, or defense against, a motion for summary judgment, or at any hearing held in this matter.

IT IS THEREFORE ORDERED THAT Plaintiff's motion to compel, and his motion for

leave to file exhibits (docket entries #16 & #17), are DENIED.

DATED this 14 day of March, 2011.



UNITED STATES MAGISTRATE JUDGE