

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

MARTIN RICHARDS,  
ADC # 148155

PLAINTIFF

V.

4:11-cv-00590-DPM-JTK

GARRY STEWART

DEFENDANTS

**ORDER**

This matter is before the Court on Plaintiff's Motion to Compel (Doc. No. 11). In his Response, Defendant states both Plaintiff's discovery requests and his Motion were filed prior to service of summons and the Complaint on him, and that he plans to respond to the interrogatories within the thirty days as permitted by the Federal Rules of Civil Procedure (Doc. No. 23). Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Compel (Doc. No. 11) is DENIED without prejudice.

IT IS SO ORDERED this 26th day of October, 2011.



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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE