

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

LARRY WAYNE JONES,
ADC #070147

PLAINTIFF

v.

5:08CV00233HLJ

RAY HOBBS, et al.

DEFENDANTS

ORDER

This matter is before the Court on plaintiff's motion to compel (DE #22). Defendants filed a response to the motion (DE #23).

In support of the motion to compel, plaintiff states he proffered discovery requests to defendants on November 22, 2008, and has not yet received responses. In their response, defendants state plaintiff's requests were inadvertently overlooked, and the requested information will be provided to plaintiff by January 23, 2009. Defendants also ask the Court to deny plaintiff's motion based on his failure to confer with them as required by Fed.R.Civ.P. 37(a)(2)(B). In light of this response, the Court will deny plaintiff's motion, and will remind the parties of the need to confer prior to the filing of a motion to compel, in accordance with the Federal and Local Rules of the Court. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff's motion to compel (DE #22) is hereby DENIED without prejudice.

IT IS SO ORDERED this 20th day of January, 2009.

Henry L. Jones, Jr.

United States Magistrate Judge