

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

BYRON L. CONWAY,
ADC #113285

PLAINTIFF

V.

5:11CV00142 JMM/JTR

WENDY KELLEY,
Deputy Director of Health,
Arkansas Department of Correction

DEFENDANT

ORDER

Plaintiff, Byron Conway, has filed this *pro se* § 1983 action alleging that Defendant Wendy Kelley failed to take proper corrective action in responses to his grievances alleging inadequate medical care. *See* docket entries #2. There are two non-dispositive Motions pending, which the Court will address separately.

I. Plaintiff's Motion to Compel

Plaintiff has filed a Motion (docket entry #25) alleging that Defendant failed to respond to Interrogatories and Requests for Production that he allegedly "filed" on or about August 22, 2012. No such discovery requests were "filed" in the record for this case. *See* Fed. R. Civ. P. 5(d) (providing that discovery requests and responses will not be filed in the record, and instead, must be mailed directly to counsel for the opposing party). Additionally, Defendant states that she never received any discovery

requests from Plaintiff. *See* docket entry #26. Accordingly, the Motion to Compel is denied.

II. Defendant's Motion for an Extension of Time

Defendant has filed a Motion seeking a one week extension of the dispositive motion deadline. *See* docket entry #27. The Court finds the request to be reasonable. Accordingly, the Motion for an Extension of Time is granted.

III. Conclusion

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion to Compel (docket entry #25) is DENIED.
2. Defendant's Motion for an Extension of Time (docket entry #27) is GRANTED, and she has **until April 13, 2012** to file any dispositive motions.

Dated this 10th day of April, 2012.


UNITED STATES MAGISTRATE JUDGE