

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

ANTONY DEAN FEARS

PLAINTIFF

v.

Civil No. 09-2096

MIKE ALLEN, Sheriff, Crawford  
County, Arkansas; CAPTAIN MIKE  
MARVIN, Crawford County Detention  
Center; LT. VENA CUPP,  
Crawford County Detention Center;  
and CPL. MATHEW LANGLEY,  
Crawford County Detention Center

DEFENDANTS

**ORDER**

On March 19, 2010, defendants filed a motion to compel answers to discovery requests (Doc. 20). Defendants state they propounded interrogatories and requests for production of documents to the plaintiff on October 21, 2009. To date, defendants state they have not received plaintiff's responses or any communication from the plaintiff regarding his responses. Plaintiff has not responded to the motion to compel.

Under the Federal Rules of Civil Procedure, plaintiff had thirty (30) days to respond to the discovery requests. Fed. R. Civ. P. 33(b)(3) & 34(b). Plaintiff did not request an extension of time to respond to the discovery requests. Therefore, plaintiff has failed to respond in the time provided by law.

Accordingly, defendants' motion to compel (Doc. 20) is granted. Plaintiff is directed to provide defendants with the required responses to the discovery requests **by 5:00 p.m. on April 30, 2010**. If plaintiff fails to provide the discovery responses to defendants, the court should be

notified by the filing of a motion to dismiss. As defendants need the discovery responses to file their summary judgment motion, defendants are given until **May 14, 2010**, to file the summary judgment motion.

IT IS SO ORDERED this 7th day of April 2010.

*/s/ J. Marschewski* \_\_\_\_\_

HON. JAMES R. MARSCHEWSKI  
CHIEF UNITED STATES MAGISTRATE JUDGE