

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

ANTHONY E. OWENS

PLAINTIFF

v.

Civil No. 09-2124

SHERIFF FRANK ATKINSON;
and LT. JACKSON

DEFENDANTS

ORDER

On February 24, 2010, defendants filed a motion to compel answers to discovery requests (Doc. 11). Defendants state they propounded interrogatories to the plaintiff on December 22, 2009. To date, defendants state they have not received plaintiff's responses or any communication from the plaintiff regarding his responses.

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). 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. 11) is granted. Plaintiff is directed to provide defendants with the required responses to the discovery requests **by 5:00 p.m. on April 7, 2010**. If plaintiff fails to provide the discovery responses, the court should be notified by the filing of a motion to dismiss.

IT IS SO ORDERED this 25th day of March 2010.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE