

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

ROGER CAMPBELL

PLAINTIFF

v.

Civil No. 10-3031

JASON DAY, Jail Administrator,
Boone County Detention Center;
SGT. JASON SILVA; MR. DUCK,
Jailer; and MRS. HOWARD, Jailer

DEFENDANTS

ORDER

On November 17, 2010, defendants filed a motion to compel answers to discovery requests (Doc. 16). Defendants state they propounded interrogatories and requests for production of documents to the plaintiff on June 24, 2010. 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) & 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. Plaintiff did not file a response to the motion to compel.

Accordingly, defendants' motion to compel (Doc. 16) is granted. Plaintiff is directed to provide defendants with the required responses to the discovery requests **by 5:00 p.m. on December 30, 2010.**

Defendants have also filed a motion for an extension of time (Doc. 18) to file their summary judgment motion. Defendants indicate they need the information sought in the discovery requests to be able to file their summary judgment motion. The motion (Doc. 18) is granted. A new deadline

to file a summary judgment motion will be established once Defendants notify the court they have received the plaintiff's discovery responses. If plaintiff fails to provide the discovery responses, defendants should file a motion to dismiss.

IT IS SO ORDERED this 13th day of December 2010.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE