

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

JAMES DANTHONY SPARKMAN

PLAINTIFF

v.

Civil No. 4:09-cv-04014

DON THORNELL, Interim Sheriff, Miller County,
Arkansas; SHERIFF STOVALL, Sheriff, Miller
County, Arkansas; CHARLES NEFF, Miller
County Correctional Facility; and SGT. R. JONES,
Miller County Correctional Facility

DEFENDANTS

ORDER

On November 19, 2009, Defendants filed a motion to compel answers to discovery requests (Doc. 26). Defendants state they propounded interrogatories and requests for production of documents to the Plaintiff on September 25, 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. 26) is granted. Plaintiff is directed to provide Defendants with the required responses to the discovery requests **by 5:00 p.m. on December 23, 2009.** **If Plaintiff fails to provide Defendants with the discovery responses, Defendants should notify the Court by filing a motion to dismiss.**

IT IS SO ORDERED this 4th day of December 2009.

/s/ Barry A. Bryant
BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE