

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

CALVIN ONEAL BURTON

PLAINTIFF

v.

Civil No. 4:10-cv-04006

SHERIFF JERRY CRANE,
Hempstead County, Arkansas;
CHIEF DEPUTY JAMES SINGLETON,
Hempstead County Detention Center;
ASST. JAIL ADMINISTRATOR
STEPHEN GLOVER, Hempstead County
Detention Center; DEPUTY BRANDON
SMITH, Shift Supervisor, Hempstead
County Detention Center; and NURSE
LORI, Hempstead County Detention Center

DEFENDANTS

MEMORANDUM OPINION

This is a civil rights action filed pursuant to 42 U.S.C. § 1983. The Plaintiff proceeds *pro se* and *in forma pauperis*. The case is before me pursuant to the consent of the parties. (ECF No. 13).

On August 13, 2010, Defendants filed a motion to compel answers to discovery requests (ECF No. 19). Defendants stated they propounded interrogatories and requests for production of documents to the Plaintiff on April 21, 2010. Defendants indicated they had not received Plaintiff's responses or any communication from the Plaintiff regarding his responses. Plaintiff did not respond to the motion to compel.

Defendants' motion to compel (ECF No. 19) was granted by order entered on September 30, 2010 (ECF. No. 20). Plaintiff was directed to provide Defendants with the required responses to the discovery requests by 5:00 p.m. on October 15, 2010.

On October 20, 2010, Defendants filed a motion to dismiss (ECF No. 21). In the motion, Defendants indicate they did not receive any discovery responses from the Plaintiff. Plaintiff has not responded to the motion to dismiss. Based on Plaintiff's failure to obey the order of the Court, the motion to dismiss (ECF No. 21) will be granted by a separate order entered this same day. Fed. R. Civ. P. 41.

DATED this 30th day of November 2010.

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