

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

KEITH D. MOSES

PLAINTIFF

v.

Civil No. 4:15-04002-SOH-BAB

OFFICER OLLER, ET. AL.

DEFENDANTS

AMENDED ORDER

Plaintiff, Keith D. Moses, proceeds in this 42 U.S.C. § 1983 action *pro se* and *in forma pauperis*. Plaintiff is currently incarcerated in the Arkansas Department of Correction (“ADC”) Cummins Unit. Currently before the Court is Defendant Dunham’s Motion to Compel Answers to Discovery Requests. ECF No. 32.

On February 26, 2016, Defendant Dunham filed a Motion to Compel seeking an Order compelling Plaintiff to respond to Defendants’ First Set of Interrogatories and Request for Production of Documents. ECF No. 32. In his Motion, Defendant Dunham states he first served the discovery requests on Plaintiff on October 8, 2015. On November 20, 2015, Defendant sent a second request asking Plaintiff to respond to the discovery request and informing Plaintiff, if he failed to respond, Defendant would file a motion to compel. Plaintiff again failed to respond. Neither request was returned as undeliverable. ECF No. 32.

Under the Federal Rules of Civil Procedure, Plaintiff is afforded thirty (30) days to respond to discovery requests. Fed. R. Civ. P. 33(b)(2) & 34(b)(2)(A). Plaintiff did not request an extension of time to respond to Defendants’ discovery requests. Therefore, Plaintiff has failed to respond in the time provided by law.

Accordingly, Defendants’ Motion to Compel (ECF No. 32) is **GRANTED**. Plaintiff is

DIRECTED to provide Defendants with the required responses to the discovery requests **by 5:00 p.m. on Tuesday, March 22, 2016.** Plaintiff is advised that failure to comply with this Order may result in summary dismissal of this case.

IT IS SO ORDERED this 2nd day of March 2016.

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