

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

ERIC L. WHITE

PLAINTIFF

v.

Civil No. 4:16-cv-04005

SHERIFF BRIAN MCJUNKIN,  
JANA TALLANT, and  
JAILER DAWANDA SCHWOPE

DEFENDANTS

**ORDER**

Plaintiff Eric L. White proceeds in this action *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Currently before the Court is Defendants' Motion to Compel. ECF No. 18. Plaintiff has not responded.

In their Motion, Defendants state they first served Interrogatories and Requests for Production on Plaintiff on October 4, 2016. The discovery requests were not returned as undeliverable. Plaintiff did not respond. On November 8, 2016, Defendants attempted to resolve this discovery dispute in good faith without court intervention and sent correspondence to Plaintiff requesting his past-due discovery responses within fourteen (14) days informing Plaintiff if he failed to respond a motion to compel would be filed. The correspondence was not returned as undeliverable. Plaintiff again failed to respond.

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. 18) is **GRANTED**. Plaintiff is **DIRECTED** to provide Defendants with the required responses to the discovery requests **by 5:00**

**p.m. on Friday, December 30, 2016. Plaintiff is advised that failure to comply with this Order may result in the dismissal of this case.**

**IT IS SO ORDERED this 15th day of December 2016.**

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