

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

ERIC L. WHITE

PLAINTIFF

v.

Civil No. 4:16-cv-04061

JANATALLANT, Howard County
Sheriff's Department; CHIEF JAILER
DAWANDA SCHWOPE, Howard County
Detention Center

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. 22. Plaintiff has not responded.

In their Motion, Defendants state they first served Interrogatories and Requests for Production on Plaintiff on October 11, 2016. The discovery requests were not returned as undeliverable. Plaintiff did not respond. On November 14, 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. 22) 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