

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

MICHAEL V. GARDNER

PLAINTIFF

v.

Civil No. 4:16-CV-04102-SOH-BAB

CORRECTIONAL OFFICER N. TEFFT, *et al.*

DEFENDANTS

**ORDER**

Plaintiff proceeds in this 42 U.S.C. § 1983 action *pro se* and *in forma pauperis*. Currently before the Court is a Motion to Compel (ECF No. 21) by Defendants.

On April 20, 2017, Defendants filed a Motion to Compel seeking Plaintiff's Answers to their discovery requests. ECF No. 21. In their Motion, Defendants state they first served the request (ECF No. 21-1) on January 16, 2017. On February 23, 2017, Defendants sent a second request (ECF No. 21-2) to Plaintiff at his updated address. On March 28, 2017, Defendants sent a third request (ECF No. 21-3) to Plaintiff. This request informed Plaintiff that Defendants would file a motion to compel if he failed to respond by April 7, 2017. The last two requests were not returned as undeliverable. Plaintiff has not responded.

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. 21) is **GRANTED**. Plaintiff is **DIRECTED** to provide Defendants with his Discovery Responses **by 5:00 p.m. on May 15, 2017**. Plaintiff is advised that failure to comply with this Order may result in summary dismissal of this

case.

**IT IS SO ORDERED this 24th day of April 2017.**

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