

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

KEVIN CORDARL CHRISTOPHER

PLAINTIFF

v.

Civil No. 4:18-cv-04020

OFFICER CAGEL, Miller  
County Detention Center

DEFENDANT

**ORDER**

Plaintiff Kevin Cordarl Christopher proceeds in this action *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Currently before the Court is Defendant Officer Cagel's Motion to Compel. (ECF No. 22). Plaintiff has not responded.

In his motion Defendant Cagel states he first propounded Interrogatories and Requests for Production of Documents to Plaintiff on March 15, 2018. The discovery included a request for a medical authorization. On or about May 9, 2018, Defendant Cagel received Plaintiff's Answers to Interrogatories but did not receive Plaintiff's responses to Requests for Production. To resolve the discovery dispute, on May 9, 2018, counsel for Defendant Cagel forwarded correspondence to Plaintiff asking him to produce an executed medical authorization by May 29, 2018, or a motion to compel would be filed. On July 23, 2018, Defendants attempted once again to resolve the discovery dispute by forwarding correspondence to Plaintiff requesting return of an executed medical authorization by August 3, 2018. To date, Plaintiff has not responded to Defendant's request.

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). Here, Plaintiff claims that he suffered injuries due to excessive force while he was incarcerated in the Miller County Detention

Center. To properly defend against Plaintiff's claims, Defendant is entitled to copies of Plaintiff's medical records that relate to his alleged injuries and medical condition.

Accordingly, Defendants' Motion to Compel (ECF No. 22) is **GRANTED**. Plaintiff is **DIRECTED** to provide Defendants with the required responses to the discovery requests, including an executed medical authorization, **by 5:00 p.m. on Tuesday, October 2, 2018**. **Plaintiff is advised that failure to comply with this Order shall result in the dismissal of this case.**

**IT IS SO ORDERED this 17th day of September 2018.**

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