

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

SHANE VANDERMOLEN

PLAINTIFF

V.

CIVIL NO. 6:12-CV-06121

MICHELLE REEVES;
LT. RADLEY; and
CAPTAIN BRAINSETTER

DEFENDANTS

ORDER

Plaintiff Shane Vandermolen proceeds in this 42 U.S.C. § 1983 action *pro se* and *in forma pauperis*. According to Plaintiff's address of record, he is currently incarcerated in the Garland County Detention Center. Currently before the Court is Defendants' Motion to Compel. ECF No. 39.

On May 22, 2014, Defendants filed a Motion to Compel seeking an Order compelling Plaintiff to respond to Defendants' First Set of Interrogatories and Requests for Production. ECF No. 39. In their Motion, Defendants' state they first served the discovery requests on Plaintiff at the Garland County Detention Center on April 1, 2014. The discovery requests were not returned as undeliverable. Plaintiff did not respond. On May 6, 2014, Defendants sent a second request asking Plaintiff to respond to the discovery request and informing Plaintiff, if he failed to respond, Defendants would file a motion to compel. The second request was also 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. 39) is **GRANTED**. Plaintiff is **DIRECTED** to provide Defendants with the required responses to the discovery requests **by 5:00 p.m. on Friday, August 1, 2014**. Further, Defendants are **DIRECTED** to notify the Court if Plaintiff fails to respond to the discovery requests by **August 1, 2014**. Lastly, Plaintiff is advised that failure to comply with this Order may result in the dismissal of this case.

IT IS SO ORDERED this 11th day of July 2014.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE