

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 14-cv-00878-WJM-BNB

JAMES A. RILEY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER

This matter arises on the defendant's **Motion to Compel Answers to Defendant's Interrogatories, Requests for Production of Documents, and Requests for Admissions** [Doc. # 22, filed 12/9/2014] (the "Motion to Compel"), which is GRANTED.

The defendant served written discovery on the plaintiff on October 23, 2014. Responses were due on November 25, 2014. No responses were received. Instead, plaintiff's counsel filed a Motion to Withdraw [Doc. # 21]. I set the Motion to Withdraw for hearing on January 8, 2015, and I ordered that the plaintiff be present at the hearing in person. Minute Order [Doc. # 27]. The hearing occurred as scheduled, and the plaintiff appeared as required. Courtroom Minutes [Doc. # 31]. I granted the Motion to Withdraw. In doing so, I warned the plaintiff that "until substitute counsel enters its appearance, the plaintiff is personally responsible for complying with all court orders and time limitations established by applicable statutes and rules. Failure to meet these obligations may result in the imposition of sanctions, including dismissal of the action." Order [Doc. # 32]. At the same time, I ordered the plaintiff to respond to the Motion to

Compel on or before January 22, 2015. Id.

The plaintiff has failed to respond to the Motion to Compel, my order that he do so notwithstanding.

I have reviewed the discovery served by the defendant. It calls for relevant information and documents in the possession or control of the plaintiff. An order compelling discovery is appropriate where, as here, a litigant fails to respond to relevant discovery requests. Fed. R. Civ. P. 37. Consequently, I will order the plaintiff to respond to the defendant's written discovery on or before February 9, 2015. I caution the plaintiff that his failure to comply with this order and to make the discovery required may result in the imposition of sanctions, including dismissal of the action. Fed. R. Civ. P. 37(b)(2)(A).

IT IS ORDERED that the plaintiff shall respond to the Defendant's First Set of Interrogatories, Requests for Production, and Requests for Admission [Doc. # 22-1] on or before February 9, 2015.

Dated January 26, 2015.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge