

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

PATRICK O HAMPTON,

Plaintiff,

v.

CASE NO. 1:10-cv-00215-MP-GRJ

P BUHLER, et al,

Defendants.

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**ORDER**

This case is before the Court on Doc. 11, Plaintiff's motion to compel discovery, Doc. 13, Defendants' motion to dismiss the complaint, and Doc. 14, Defendants' motion to stay discovery pending resolution of the motion to dismiss. Defendants state that the motion to dismiss is based on Plaintiff's failure to exhaust administrative remedies, and that if the motion is granted all of Plaintiff's claims will be subject to dismissal pursuant to 42 U.S.C § 1997e.

Upon due consideration, it is **ORDERED**:

1. Defendants' motion to stay discovery, Doc. 14, is **GRANTED**. Plaintiff's motion to compel, Doc. 11, is **DENIED** without prejudice pending resolution of the motion to dismiss.
2. Plaintiff shall file a response to the motion to dismiss **on or before June 8, 2011**. Failure to respond to the motion to dismiss will result in a recommendation that this case be dismissed for the reasons stated in the motion.

**DONE AND ORDERED** this 16<sup>th</sup> day of May 2011.

*s/ Gary R. Jones*

GARY R. JONES  
United States Magistrate Judge