

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

STEVEN BURNETT,

Plaintiff,

v.

CITY OF HERRIN, ILLINOIS, *et al.*,

Defendants.

Case No. 10-cv-533-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on its own initiative for purposes of case management. Specifically, the Court is concerned with Defendants’ failure to respond to Plaintiff Steven Burnett’s Motion *in Limine* (Doc. 37).

Pursuant to Local Rule 7.1(g), Defendants’ response was due 14 days after said motion was served, but 14 days have passed and Defendants have not responded. The Court may, in its discretion, construe a party’s failure to file a timely response as an admission of the merits of the motion. S.D. Ill. L. R. 7.1(g).

Being fully advised of the premises, the Court hereby **ORDERS** Defendants to **SHOW CAUSE** on or before **December 10, 2010**, why the Court should not construe their failure to timely respond to Burnett’s motion as an admission of its merits and grant the relief sought accordingly.

**IT IS SO ORDERED.**

**DATED: December 3, 2010**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**