

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

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|---------------------|---|-------------------------------|
| MICHAEL WIDMER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 3:13-cv-1131-NJR-DGW |
| |) | |
| J. KEMPFER, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

WILKERSON, Magistrate Judge:

This matter is before the Court on the Motion to Stay and Set Status filed by Plaintiff, Michael Widmer, on December 3, 2014 (Doc. 82) and the Motion for Sanctions filed by Defendants on December 10, 2014 (Doc. 83). The Motion to Stay and Set Status is **GRANTED IN PART** and the Motion for Sanctions is **DENIED WITHOUT PREJUDICE**.

Plaintiff has indicated that he will be released from prison on December 26, 2014, that his materials have been confiscated, and that he requires a status conference prior to his release. In light of Plaintiff’s anticipated release, this matter is **SET** for an **in person** status conference on **February 18, 2015 at 2:00p.m.** before the undersigned in the Federal Courthouse located in East St. Louis, Illinois. The parties shall discuss the status of this matter and any issues that should be resolved prior to trial in this matter (including any outstanding discovery matter). Plaintiff is **WARNED** that the failure to attend the status conference **SHALL** result in a recommendation that this matter be dismissed for failure to prosecute.

Defendants have informed the Court that Plaintiff has failed to respond to outstanding discovery requests by the deadline of November 20, 2014 (Doc. 81). They seek the sanction of dismissal in light of this Court’s warning that such a sanction may result if Plaintiff fails to comply

with the discovery process. While it is clear that Plaintiff not only has failed to respond to the discovery requests but also has failed to comply with an Order of this Court, dismissal will not be recommended at this point. As noted above, Plaintiff has indicated that he will be released from prison and this matter is set for a status conference. Plaintiff is accordingly **GRANTED** until **January 16, 2014** to respond to the outstanding discovery requests. Plaintiff is again **WARNED** that the failure to provide responses by this new deadline **SHALL** result in a recommendation that this matter be dismissed for failure to prosecute and obey the Orders of the Court.

IT IS SO ORDERED.

DATED: December 11, 2014

The image shows a handwritten signature in blue ink that reads "Donald G. Wilkerson". The signature is written over a circular official seal of the United States District Court for the Southern District of Illinois. The seal features an eagle with wings spread, holding a shield on its chest, and is surrounded by the text "UNITED STATES DISTRICT COURT" and "SOUTHERN DISTRICT OF ILLINOIS".

DONALD G. WILKERSON
United States Magistrate Judge