

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

ERVEN WALLS, )  
)  
Plaintiff, )  
)  
v. )  
)  
THEODORE W. MCABEE and STEPHEN A.)  
JOHNSON, )  
)  
Defendants. )

Case No. 3:16-cv-18-NJR-DGW

**ORDER**

**WILKERSON, Magistrate Judge:**

This matter is before the Court on the Motion for Extension of Time and for Appointment of Counsel filed by Plaintiff (Doc. 76). The motion is **GRANTED IN PART and DENIED IN PART**.

The discovery deadline in this case was March 17, 2017 (Doc. 51). Plaintiff served discovery requests upon Defendants on March 15, 2017, mistakenly believing that he was not required to serve them at least 30 days prior to the discovery deadline, as set forth in the Scheduling Order (Doc. 24). Plaintiff claims ignorance; however, merely because he is *pro se* does not excuse him from following the Orders of this Court. *See McNeil v. U.S.*, 508 U.S. 106, 113 (1993). For relief, Plaintiff seeks an order compelling answers, appointment of an attorney, and a temporary stay until counsel can be recruited. The last two requests are **DENIED** for the reasons set forth in this Court’s previous Order (Doc. 73).

However, Plaintiff shall be granted additional time to conduct discovery. The Court notes that the *Pavey* issue was not resolved until February 15, 2017, giving Plaintiff only a short amount of time to conduct discovery. Therefore, the discovery deadline is extended to **August 11, 2017**.

Defendants shall respond to Plaintiff's discovery requests, served on March 15, 2017, by **June 23, 2017.**<sup>1</sup> Plaintiff shall file a response to the motion for summary judgment (Doc. 78) by **August 31, 2017.**

**DATED: June 6, 2017**



**DONALD G. WILKERSON**  
**United States Magistrate Judge**

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<sup>1</sup> The Court has reviewed Plaintiff's discovery requests and anticipates that Defendants will object to a majority of them.