Hopkins v. Sheriff et al Doc. 10

## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA HAMMOND DIVISION AT LAFAYETTE

PAUL D. HOPKINS,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. 4:09-CV-016 AS
<b>v.</b>	)	
	)	
SHERIFF, et al.,	)	
	)	
Defendants.	)	

## **OPINION AND ORDER**

The Sheriff of Jasper County, by counsel, filed a motion seeking "an enlargement of time to answer or otherwise plead to Plaintiff's Complaint...." DE 8 at 1. This motion is confusing because the court has already found that the plaintiff, Paul D. Hopkins, a *pro se* prisoner, "has no claim against the Sheriff" (DE 4 at 5) and "waived [d] the Sheriff of Jasper County's obligation to file an answer pursuant to 42 U.S.C. § 1997e(g)(2) . . .." (DE 4) Because the defendant has no deadline (indeed no obligation) to answer the complaint, the motion to enlarge time (DE 8) is **DENIED AS**MOOT. Instead, the defendant is solely obligated to respond to discovery initiated by Mr. Hopkins on or before April 7, 2009, for the sole purpose of identifying the unknown defendant(s) who denied Mr. Hopkins medical treatment for his diabetes and high blood pressure for the approximately six months following September 21, 2007. The parties are **REMINDED** that N.D. IND. L.R. 26.2(e) requires that, "In *pro se* litigation, all discovery shall be filed."

IT IS SO ORDERED.

**ENTERED: April 6, 2009** 

/s/ ALLEN SHARP
ALLEN SHARP, JUDGE
UNITED STATES DISTRICT COURT