

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEPHEN WARREN,

Plaintiff,

Case No. 09-13931  
Hon. Lawrence P. Zatkoff

v.

HIGHWAY TRANSPORT,

Defendant.

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**ORDER**

Plaintiff, proceeding *pro se*, filed this lawsuit alleging that he was terminated from his employ as a truck driver in violation of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*

On April 9, 2010, Defendant filed a motion to compel discovery, seeking responses to interrogatories and production of documents. Plaintiff did not respond to the motion, despite an order from Magistrate Judge Majzoub that he do so. Judge Majzoub granted Defendant's motion and ordered Plaintiff to provide the requested discovery on or before June 11, 2010.

On June 14, 2010, Defendant filed a motion to dismiss, informing the Court that Plaintiff failed to comply with Judge Majzoub's order. Plaintiff did not respond to Defendant's motion to dismiss.

On August 4, 2010, the Court issued an order requiring Plaintiff to show cause why Defendant's motion to dismiss should not be granted. Plaintiff's response to the show-cause order states as follows:

I Stephen Warren, humbly come before the court in writing to show cause, in why the defendant's motion should not be granted. I met

and called numerous attorneys and attendant [sic] Pro-Bono day at the court, to no success. I come before the court in need of help to be reinstated as a professional truck driver, this is my livelihood. The defendant's attorney constitutes a position contrary to my claim, the need to seek employment as a professional truck driver or to be reinstated with the company. It is not my intention not to comply full and completely.

In addition, Plaintiff attached several medical records to his response, the relevance of which cannot be ascertained.

The Court finds this response inadequate. Plaintiff offers no explanation or justification for his repeated failures to comply with the Federal Rules of Civil Procedure, this court's local rules, and judicial orders. Plaintiff has not participated in discovery, he has not responded to dispositive motions, and there is no indication that he will do so in the future. In fact, since the time the Court's show-cause order issued, Plaintiff has failed to respond in any manner to two other motions filed by Defendant.

Therefore, the Court GRANTS Defendant's motion to dismiss [dkt 16] under Rule 37(b) based on Plaintiff's failure to participate in discovery. All other motions are denied as moot. This case is closed.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: August 30, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on August 30, 2010.

S/Marie E. Verlinde

Case Manager

(810) 984-3290