IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

MICHAEL W. SMITH PLAINTIFF

v. CIVIL ACTION NO. 2:12-cv-00075-GHD

GAIL JACO and KIMBERLY D. CHRESTMAN DEFENDANTS

MEMORANDUM OPINION DENYING
PLAINTIFF MICHAEL W. SMITH'S MOTION TO ENLARGE TIME FOR DISCOVERY

In the case *sub judice*, which is a property dispute case between *pro se* Plaintiff Michael W. Smith ("Plaintiff") and *pro se* Defendants Gail Jaco and Kimberly D. Chrestman ("Defendants"), Plaintiff has filed a motion to enlarge time for discovery [101] for the purpose of obtaining Defendants' business and/or personal financial business records from July 2011 through the date of trial. Plaintiff maintains that he only recently learned "that the rules of discovery allowed a party to obtain personal, financial information from an opposing party." Defendants have not filed a response to the motion. Upon due consideration, the Court finds that the motion must be denied for the reasons stated below.

First, Plaintiff has failed to demonstrate that the business and/or personal financial business records of Defendants are relevant to the resolution of this property dispute. Further, although Plaintiff maintains that the discovery of such information is relevant to a punitive damages claim against Defendants, the Court has not determined that punitive damages are appropriate in this matter. Finally, Plaintiff's request to extend the discovery deadline is untimely and Plaintiff has failed to demonstrate good cause for the late request. This case was filed on May 1, 2012. The trial in this matter is presently set for December 1, 2014. In the opinion of this Court, permitting additional discovery at this late juncture likely would result in a

delay of the trial date. For all of the foregoing reasons, the Court finds that Plaintiff's motion is not well taken.

In sum, Plaintiff's motion to enlarge time for discovery [101] is DENIED.

An order in accordance with this opinion shall issue this day.

THIS, the 30th day of October, 2014.

SENIOR UNITED STATES DISTRICT JUDGE