

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

MICHAEL W. SMITH

PLAINTIFF

V.

CIVIL ACTION NO.:2:12cv75-GHD-JMV

GAIL JACO, ET AL.

DEFENDANTS

**ORDER**

Before the Court is a motion filed by the pro se plaintiff to compel production of discovery materials (#30). Plaintiff has requested a letter written by the defendants to the Internal Revenue Service. Plaintiff's motion was filed on April 3, 2013. The discovery deadline in this case expired on March 28, 2013. Accordingly, the motion is untimely on its face. Moreover, pursuant to Rule 7(b)(2)(B) of the Local Uniform Civil Rules, "A party must file a discovery motion sufficiently in advance of the discovery deadline to allow response to the motion, ruling by the court and time to effectuate the court's order before the discovery deadline."

The Court finds that the motion to compel (#30) is not well taken and is hereby DENIED.

SO ORDERED this 26<sup>th</sup> day of April, 2013.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE