

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**SOUTH MISSISSIPPI ELECTRIC POWER
ASSOCIATION**

PLAINTIFF

v.

CIVIL ACTION NO. 3:14-CV-278-DMB-SAA

M & D COATINGS, INC.

DEFENDANT

ORDER DENYING MOTION TO COMPEL

On April 18, 2016 defendant filed a third motion to compel plaintiff's responses to three requests for production of documents. Docket 104. Defendant propounded the discovery requests at issue to plaintiff on June 1, 2015 and February 8, 2016.¹ Docket 22. Plaintiff responded to the discovery requests on July 21, 2015 and February 15, 2016. Docket 32, 88. The court has reviewed the motion and holds that it should be denied.

LOCAL UNIFORM CIVIL RULE 7(b)(2)(C) requires a party to "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." Because defendant's motion was not filed sufficiently in advance of the April 29, 2016 discovery deadline to allow response, ruling and effectuation of the court's ruling on the motion before the deadline as required by L.U.Civ.R. 7(b)(2)(C), the court finds that the motion is not well taken, and it is DENIED.

SO ORDERED, this, the 29th day of April, 2016.

s/ S. Allan Alexander
UNITED STATES MAGISTRATE JUDGE

¹ Defendant alleges that it propounded a Fifth Set of Requests for Production of Documents on February 8, 2016. However, no Notice of Service was filed on CM/ECF.