

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

WILLIE T. MARTIN,)
)
Plaintiff,)
)
v.) No. 1:11CV181 SNLJ
)
)
TRINITY MARINE PRODUCTS, INC.,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on defendant's motion to compel (#26), filed on July 30, 2012. Plaintiff, who is proceeding *pro se*, has not responded to this motion, and the deadline for responding has passed. Plaintiff filed his complaint pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*, alleging claims of discrimination against defendant, his former employer, on the bases of race, color, and gender, for acts of retaliation and harassment and for terminating his employment.

This Court granted defendant's partial motion to dismiss (#14) on May 9, 2012, and subsequently entered a Case Management Order setting a June 25, 2012 deadline for service of the parties' initial disclosures under Federal Rule of Civil Procedure 26(a)(1). Plaintiff did not serve his disclosures on defendant. Defendant served interrogatories and requests for production on plaintiff on June 1, 2012, making plaintiff's responses due on July 5, 2012. When defendant had not received responses or initial disclosures on July 11, it sent a letter notifying plaintiff that his responses and disclosures were overdue. Defendant advises that plaintiff contacted defense counsel on July 17 and stated he would send his responses and disclosures by July 18, 2012.

However, defendant states, it did not receive the disclosures or responses. As a result, defendant filed this motion to compel responses and disclosures on July 30, 2012.

Plaintiff has not responded to the motion, and neither party has notified the Court that plaintiff has complied with his obligations. Plaintiff must respond to defendant's discovery requests and serve his initial disclosures on the defendant. If plaintiff fails to comply with this Court's order or the Federal Rules of Civil Procedure, his complaint may be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

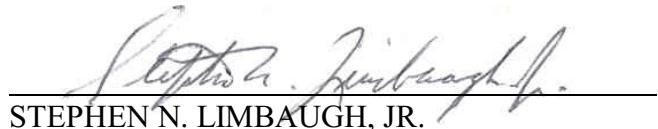
Accordingly,

IT IS HEREBY ORDERED that defendant's motion to compel (#27) is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff must serve his initial disclosures and his responses to defendant's First Set of Interrogatories and First Request for Production no later than October 23, 2012.

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN DISMISSAL.

Dated this 2nd day of October, 2012.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE