

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

ANDREW CIESLA,)
)
 Plaintiff,)
)
 vs.)
)
)
 TROOPER C.B. CHRISTIAN, et al.,)
)
 Defendants.)
)

Case No. 1:14CV00165 ACL

MEMORANDUM AND ORDER

Plaintiff filed a Complaint against Defendants Trooper Christopher Christian, Officer D. McDaniel, Pemiscot County, Missouri, and City of Hayti, Missouri, alleging violations of his constitutional rights under 42 U.S.C. § 1983, and a Missouri state law claim for malicious prosecution.

Presently pending before the Court is the Motion to Compel of Defendants Pemiscot County, Missouri, City of Hayti, Missouri, and Officer D. McDaniel. (Doc. 43.)

In their Motion, Defendants request that the Court issue an order compelling Plaintiff to respond to their Second Request for Production of Documents. Defendants state that a second set of Request for Production of Documents was directed to Plaintiff on October 6, 2015. (Def’s Ex. A.) Defendants state that the requests arise out of the answers given by Plaintiff in his deposition that he had certain documents in his possession that were not with him at the time of the deposition. Defendants state that, on November 17, 2015, Defendants’ attorney sent a letter to Plaintiff’s attorney requesting that the responses be made within seven days from the date of the letter. (Def’s Ex. B.) Defendants state that, to date, no responses to the Second Request for

Production of Documents has been made nor has Plaintiff indicated in any way that his responses are forthcoming. Plaintiff has not responded to Defendants' Motion to Compel and the deadline for responding has passed.

Pursuant to Federal Rule of Civil Procedure 37, "[a] party seeking discovery may move for an order compelling an answer, designation, production, or inspection." Fed. R. Civ. P. 37(a)(3)(B). This Court will compel Plaintiff to serve complete responses and produce all documents responsive to the production requests on Defendants within ten days of this Order. Plaintiff is cautioned that failure to comply with this Order may result in sanctions under Rule 37(b), including the dismissal of Plaintiff's Complaint.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Compel (Doc. 43) is **granted**.

IT IS FURTHER ORDERED that Plaintiff shall respond to Defendants' Second Request for Production of Documents within **fourteen days from the date of this Order, that is no later than January 22, 2016**.



ABBIE CRITES-LEONI
UNITED STATES MAGISTRATE JUDGE

Dated this 8th day of January, 2016.