

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

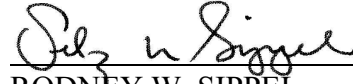
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|--------------------------|---|------------------------|
| JAMES SMALLEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 4:10CV319 RWS |
| |) | |
| MICHAEL GAMACHE, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before me on plaintiff's motion for reconsideration of my June 13, 2012 Order. Plaintiff complains that he is confused by the Court's Order that discovery motions, not discovery materials, be filed. This is standard practice under the Federal Rules of Civil Procedure. Requests for interrogatories and production of documents are not motions and should not be filed with the Court. Instead they only need to be served upon defendants. Plaintiff also complains that the Court granted both parties an extension of time to complete discovery, arguing that this somehow shows favoritism to defendants. It does not. As this Order explained, the extension of time was granted because there was confusion by both parties about what discovery remained outstanding. If plaintiff contends he is owed additional discovery, he should comply with my June 13, 2012 Order and ask for that discovery. The Court also notes that it has granted numerous extensions of time in this case because plaintiff claimed he needed additional time to prepare his case. If plaintiff does not obtain the discovery he thinks he is entitled to from this last round of discovery, then he may file a motion to compel after attempting to resolve the dispute with defendants in accordance with the local rules. But I am not going to reconsider my prior Order granting additional time to complete discovery.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration [#79] is denied.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 28th day of June, 2012.