

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ABDULRAZAK BATUN,

Plaintiff,

vs.

OMAHA HOUSING AUTHORITY, et. al;

Defendants.

**8:14CV217****ORDER**

The plaintiff, proceeding pro se, has not served mandatory disclosures, nor responded to Defendants' discovery, including their Interrogatories, Requests for Production, and Requests for Admissions served on June 1, 2015. By letters sent on July 21, 2015 and July 30, 2015, the defendants reminded Plaintiff of his discovery obligations. Plaintiff failed to respond to the letters. Defendants filed a motion to compel and a motion to deem admitted those facts set forth in Defendants' requests for admissions. Plaintiff failed to respond to the motions.

By order entered on September 21, 2015, Plaintiff was given until October 5, 2015, to serve on the defendants his mandatory disclosures and his full and complete responses to Defendants' Interrogatories and Requests for Production. The court's order further required Plaintiff to file a certificate of service on the court's record stating he has timely served his discovery responses. The order advised Plaintiff that "[f]ailure to timely comply with . . . this order may result in dismissal of this case as a discovery sanction or for want of prosecution." (Filing No. 49).

The plaintiff has not filed a certificate of service stating he has complied with the court's discovery order. And he has not explained why he cannot comply with the discovery rules and orders of this court.

Accordingly,

IT IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, pursuant to 28 U.S.C. § 636(b), that Plaintiff's claims be dismissed with prejudice as a discovery sanction or for want of prosecution without further notice.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

November 9, 2015.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge