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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
\$15,000.00 IN UNITED STATES
CURRENCY
Defendant.
THOMAS E. SLACK,
Claimant.

3:12-cv-00463-LRH-WGC
ORDER

Before the court is the Motion to Compel Responses to Interrogatories and for Production of Documents of Plaintiff United States of America (Doc. # 10) and Plaintiff’s Notice of Failure to Respond to Motion to Compel Discovery Responses (Doc. # 13.)

Federal Rule of Civil Procedure 37(a) authorizes a party to seek an order compelling discovery when a party fails to answer an interrogatory submitted under Rule 33 or produce documents as requested under Rule 34. Federal Rule 37(a)(3)(B) and (iii)(iv). Based upon Plaintiff’s motion (Doc. # 10) and Notice (Doc. # 13), it appears claimant has both failed to respond to Plaintiff’s discovery and Plaintiff’s motion with respect thereto.

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Local Rule 7-2(d) provides in pertinent part as follows:

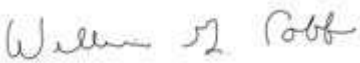
“* * * The failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.”

Therefore, good cause appearing, Plaintiff’s motion to compel (Doc. # 10) is **GRANTED**.

Claimant is advised that in accordance with Fed. R. Civ. P. 37(b), if claimant fails to respond to Plaintiff’s outstanding discovery by **April 30, 2013**, this court may enter a recommendation for sanctions against claimant under Fed. R. Civ. P. 37(b), including treating claimant’s failure to respond as contempt of court and/or dismissing claimant’s claim pending herein.

IT IS SO ORDERED.

Dated: April 15, 2013.



WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE