Thymes v. Verizon Wireless, Inc. et al Doc. 128

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

CARL G. THYMES,

Plaintiff,

v. CV 16-66 KG/WPL

VERIZON WIRELESS, INC., and
CARLOS RESTREPO,

Defendants.

ORDER DENYING MOTION TO RECONSIDER

Pro se Plaintiff Carl Thymes filed a motion to reconsider (Doc. 124) my order denying his motions to compel (Doc. 116). Thymes again failed to comply with the Local Rules by not including in his motion a certification that he conferred, in good faith, with opposing counsel before filing this motion. D.N.M.LR-Civ. 7.1. Furthermore, Thymes provided no new information or argument upon which to base a reconsideration of my prior order. The simple fact that Verizon included a statement of how requests for admission should be construed and answered does not negate the previous analysis. Thymes's motions were denied, among other reasons, because he failed to comply with the timing requirement of Local Rule 26.6 and because Federal Rule of Civil Procedure 37 does not provide a mechanism to compel affirmative admissions in response to requests for admission.

Thymes's motion to reconsider is denied.

IT IS SO ORDERED.

William P. Lynch
United States Magistrate Judge

A true copy of this order was served
on the date of entry--via mail or electronic
means--to counsel of record and any pro se
party as they are shown on the Court's docket.

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