

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DWAYNE FREEMAN,

Plaintiff,

v.

ROCHESTER PSYCHIATRIC CENTER,

Defendant.

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DECISION & ORDER

12-CV-6045T

On January 25, 2012, *pro se* plaintiff Dwayne Freeman (“Freeman”) filed this action against the Rochester Psychiatric Center (the “Center”) under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et. seq.* (Docket # 1). Currently pending before this Court is a motion to compel filed by Freeman. (Docket # 102).

Specifically, Freeman’s pending motion seeks to compel responses from the Center to his (1) discovery requests filed and served on March 25, 2015 (Docket # 97); (2) interrogatories filed and served on March 31, 2015 (Docket # 99), and, (3) discovery requests filed and served on April 1, 2015 (Docket # 100). Rules 33(b)(2) and 34(b)(2) of the Federal Rules of Civil Procedure provide a thirty-day deadline for responding to discovery requests and interrogatories. Fed. R. Civ. P. 33(b)(2) and 34(b)(2). Therefore, any motion seeking to compel a response to those requests is premature. The Court expects that the Center will comply with the deadlines under Rules 33(b)(2) and 34(b)(2) of the Federal Rules of Civil Procedure in responding to Freeman’s outstanding requests.

**CONCLUSION**

For the foregoing reasons, Freeman's motion to compel (**Docket # 102**) is **DENIED without prejudice** as premature. The deadline for filing motions to compel set forth in this Court's October 29, 2014 Order (Docket # 80) is hereby extended to **June 1, 2015**. **IT IS SO ORDERED.**

*s/Marian W. Payson*  
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MARIAN W. PAYSON  
United States Magistrate Judge

Dated: Rochester, New York  
April 14, 2015