

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:16-cv-101-FDW**

**CARL BENNETT PRIMUS, JR.,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **FNU PAYNE, Correctional Officer,** )  
 )  
 **Defendant.** )  
 \_\_\_\_\_ )

**ORDER**

UPON MOTION of Defendant Payne, (Doc. No. 51), for an enlargement of time within which to file dispositive motions,

IT IS HEREBY ORDERED that all parties shall have up to and including September 5, 2017, in which to file and serve dispositive motions.

Furthermore, as to Plaintiff's pending Motion to Compel Discovery, (Doc. No. 49), the motion is **DENIED** for the reasons stated in Defendant's response—because Plaintiff failed to comply with FED. R. CIV. P. 37(a)(1) before filing the motion to compel and because, in any event, Defendant has adequately responded to Plaintiff's discovery requests.

Signed: August 1, 2017



Frank D. Whitney  
Chief United States District Judge

