

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Timothy Lee Wright #331298;

Plaintiff,

v.

Officer Wellington Williams,

Defendant.

C/A No. 5:12-cv-1748-TMC-KDW

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983.

This matter is before the court on Plaintiff's Motion to Compel filed on January 30, 2013. ECF No. 45. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under 42 U.S.C. § 1983.

Plaintiff's motion asks the court to compel Defendant to answer "all 8 interrogatories" and "#2 document" and "#4 document" of his requests for production. ECF No. 45. Plaintiff argues that he served his interrogatories on December 17, 2012, and his requests for production on October 15 and December 17, 2012, and that Defendant has not responded. *Id.* Plaintiff also requests \$1,850 as reasonable costs related to obtaining his requested relief. *Id.* Defendant opposes Plaintiff's Motion to Compel arguing that the discovery served on December 17, 2012 was served outside the December 3, 2012 discovery deadline established by the court. ECF No. 49. Defendant further argues that he has responded to all of Plaintiff's discovery requests that were served prior to the discovery deadline. *Id.* Defendant requests that Plaintiff's request for costs be denied. *Id.* Plaintiff has not responded to Defendant's assertion that he complied with

Plaintiff's discovery requests that were filed before the expiration of discovery. As it appears that Defendant has fully responded to Plaintiff's timely served discovery requests, Plaintiff's Motion to Compel, ECF No. 45, is denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

March 14, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge