

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ESTATES OF DUSTIN BARNWELL,)
by next of kin, S.C.B. a minor, b/n/f,)
SHASTA LASHAY GILMORE,)
Plaintiff,)
v.) No. 3:13-CV-124-PLR-HBG
ROANE COUNTY, TENN., *et al.*,)
Defendants.)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Defendants' Motion to Compel Discovery [Doc. 89]. Therein, the Defendants represent that interrogatories and requests for production were served upon counsel for the Plaintiff on February 21, 2014. Defendants represent that, despite follow-up correspondence from defense counsel, Plaintiff has failed to provide full and complete responses to written discovery served upon her on February 21, 2014.

The Defendants' Motion to Compel Discovery was filed on June 20, 2014. The Plaintiff has failed to respond in opposition to the Motion to Compel Discovery. The time for doing so has expired. See E.D. Tenn. L.R. 7.1; Fed. R. Civ. P. 5 & 6. "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D. Tenn. L.R. 7.2. The Court finds that the Plaintiff's failure to file a timely response in opposition to the relief sought by the Defendants may be treated as acquiescence to the relief sought.

In addition, the Court finds that the Defendants have demonstrated good cause for compelling the Plaintiff to fully respond to the written discovery that has been served upon him.

Accordingly, the Court finds that the Defendants' Motion to Compel Discovery [Doc. 89] is well-taken, and it is **GRANTED** as follows. Plaintiff is **ORDERED** to serve counsel for the Defendants with full and complete responses to the interrogatories and requests for production served February 21, 2014, on or before **August 1, 2014**.

The Court finds that it is not appropriate to award fees or costs at this time, but the Plaintiff is hereby **ADMONISHED** that failure to comply with this Memorandum and Order or any other Order of the Court in the future is likely to result in the imposition of sanctions including an award of fees and/or a recommendation that these cases be dismissed, pursuant to Rule 37(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge