

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES CARTER, TDOC No. 258642,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 3:10-0058
)	JUDGE CAMPBELL/KNOWLES
)	
RICKY J. BELL, Warden, et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

The pro se Defendant Dale Hunt has recently filed a “Motion for Enlargement of Time to File Dispositive Motions in this Instant Case.” Docket No. 92. Plaintiff, an inmate in the custody of the Tennessee Department of Correction, who is also proceeding pro se, has not filed a Response to the Motion.

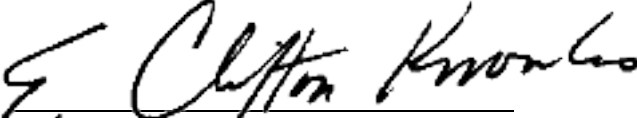
This action is set for trial on May 31, 2011, with a final pretrial conference set for May 16, 2011, and pretrial filings due by May 9, 2011. Docket No. 61.

This action may be amenable to a pretrial resolution, but the dispositive Motion deadline passed on February 2, 2011. Docket No. 55. Defendant also has a pending Motion to Clarify and Modify (Docket No. 100) a previous Order (Docket No. 96) that granted a Motion to Compel filed by Defendant (Docket No. 76).

For the foregoing reasons, the undersigned recommends that the trial of this action be continued to a date convenient to the Court in approximately late August 2011.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14)

days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge