

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DENZEL SAMONTA RIVERS,

Plaintiff,

v.

Case No. 17-cv-1496-pp

DOYAL JOHNSON, *et al.*,

Defendants.

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**DECISION AND ORDER GRANTING THE PLAINTIFF'S MOTION TO  
WITHDRAW MOTION TO COMPEL DISCOVERY ADMISSIONS  
(DKT. NO. 33), GRANTING THE PLAINTIFF'S MOTION TO  
WITHDRAW MOTION TO COMPEL DISCOVERY INTERROGATORIES (DKT.  
NO. 35) AND DEEMING WITHDRAWN THE PLAINTIFF'S MOTIONS  
TO COMPEL DISCOVERY (DKT. NOS. 31, 32)**

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In the third week of May, the court received from plaintiff two motions to compel: a motion to compel interrogatories, dkt. no. 31, and a motion to compel admissions, dkt. no. 32.

On May 29, 2018, the court received from the plaintiff a motion entitled, "Motion to Withdraw Motion for An Order Compelling Discovery." Dkt. No. 33. In this motion, the plaintiff told the court that he wanted to withdraw the motion he'd filed on May 22, 2018, asking the court to compel the defendants to answer his requests for admission. Id. He advised the court that the defendants had provided the responses; he just hadn't received them until May 23, 2018. Id. The court assumes that in this motion, the plaintiff was asking to withdraw only Dkt. No. 32. The court will grant the motion, and will allow the

plaintiff to withdraw his motion to compel responses to requests for admissions.

On June 11, 2018, the defendants filed a response to the defendant's motion to compel responses to his requests for interrogatories. Dkt. No. 34. The defendants indicated that they had reviewed their discovery responses (sent to the plaintiff on May 21, 2018), and had discovered that they accidentally failed to include the interrogatory responses in the discovery package. *Id.* at ¶¶4-5. They stated that they immediately would send the responses—which already had been drafted at the time they sent their original discovery package—to the plaintiff. *Id.* at ¶5.

Also on June 11, 2018, the plaintiff filed a “Motion to Withdraw Motion for an Order Compelling Discovery.” Dkt. No. 35. In his motion, the plaintiff indicated that the defendants had responded to his interrogatories, “answering all interrogatories.” The court will grant the motion and allow the plaintiff to withdraw his motion to compel interrogatories. If the defendants' delay in providing him with the responses caused the plaintiff any problems in litigating the case, he can ask the court for an extension of the discovery deadline (currently set for July 16, 2018) or any other deadline the delay affected.

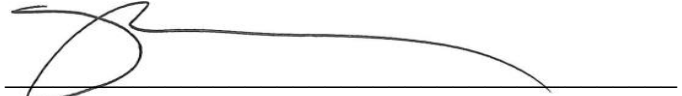
The court **GRANTS** the plaintiff's motion to withdraw his motion to compel discovery admissions. Dkt. No. 33.

The court **GRANTS** the plaintiff's motion to withdraw his motion to compel discovery interrogatories. Dkt. No. 35.

The court **DEEMS WITHDRAWN** the plaintiff's motion to compel discovery interrogatories, dkt. no. 31, and the plaintiff's motion to compel discovery admissions, dkt. no. 32.

Dated in Milwaukee, Wisconsin this 12th day of June, 2018.

**BY THE COURT**

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**