

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 13-cv-699

\$15,830.00 U.S. CURRENCY,

Defendant.

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ORDER TO COMPEL DISCOVERY

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The United States sent Gary M. Elmer interrogatories, requests for production of documents, and requests for admissions. The responses to the discovery were due October 10, 2014. On October 16, 2014, the government sent Elmer a letter requesting responses to the government's interrogatories, requests for production of documents, and requests for admissions by October 30, 2014. On or about November 4, 2014, Elmer delivered a letter and a CD containing edited clips which appear to be from a surveillance camera to the United States Attorney's Office. These items were essentially non-responsive to the government's requests. On November 6, 2014, the government sent a letter to Elmer advising him that the documents he provided did not answer the government's discovery requests. The government gave him until November 13, 2014, to adequately respond to the interrogatories, requests for production of documents, and requests for admissions.

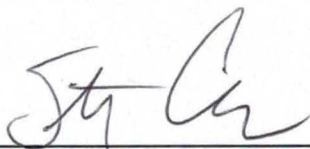
On November 14, 2014, the United States filed a Motion to Compel, pursuant to Rule 37 of the Federal Rules of Civil Procedure. It attempted to serve Elmer by certified mail at

his last known address. The government has sent several other documents to Elmer at this address and has received confirmation of delivery. The Motion to Compel, however, was returned to the United States Attorney's office as unclaimed. The United States re-sent the Motion to Compel by regular first class mail on December 10, 2014.

IT IS HEREBY ORDERED:

Claimant Gary Elmer must provide all requested discovery forthwith but not later than December 17, 2014. Failure to do so will result in sanctions that could include dismissal of claimant's claim.

DATED 12-10-14

  
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STEPHEN L. CROCKER  
United States Magistrate Judge