

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

THOMAS D. ARTHUR,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:11-cv-438-MEF
	)	(WO – Do Not Publish)
KIM THOMAS,	)	
Commissioner, Alabama Department	)	
of Corrections, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Plaintiff's Motion Regarding Discovery Deadline and Briefing Schedule (Doc. #135) and Defendant's Response in Opposition (Doc. #137). For good cause shown, the Court finds that Plaintiff's motion is due to be GRANTED IN PART and DENIED IN PART. The motion is GRANTED to the extent that it requests the discovery deadline in this case, currently set to expire on February 15, 2013, be extended to **30 days** after this Court decides the last of the outstanding discovery appeals and requests that the Court alter the summary judgment briefing schedule accordingly. However, it is DENIED to the extent that the motion seeks to open discovery beyond the two narrow discovery issues previously set forth in this Court's orders.

Accordingly, it is hereby ORDERED that:

(1) The discovery deadline in this case shall be CONTINUED to **30 days** after the Court resolves the last of the discovery appeals now pending before it;

(2) The parties' motions for summary judgment shall be due **two weeks** after the

close of fact discovery. The parties shall then be given **two weeks** to file responses in opposition to summary judgment. The parties may file replies up to **one week** after the response deadline.

DONE this the 15<sup>th</sup> day of February, 2013.

/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE