


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:12-CV-413-BO

WAKE COUNTY HUMAN SERVICES, )  
Plaintiff, )  
v. )  
WILLIAM SCOTT DAVIS, JR., )  
Defendant. )

ORDER

This cause comes before the Court on defendant’s motion to stay the Memorandum and Recommendation (M&R). Defendant states that he never received the M&R entered by United States Magistrate Judge James E. Gates [DE 9]. This matter was, however, remanded to the Wake County District Court on December 12, 2012, because the Court lacks subject matter jurisdiction to consider it. Accordingly, defendant’s motion to stay [DE 13] is DENIED.

SO ORDERED, this 9 day of April, 2013.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE