

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:14-CV-248-FL

XAVIER EARQUART,)
)
Plaintiff,)
)
v.)
)
MOLLY WHITLATCH; JOSEPH KALO,)
IV; DAVID BARBER; TRACI D. FIDLER;)
GLENDA TEER; PAM THOMAS; and)
BECKY WILLIAMS,)
)
Defendants.)

ORDER

This matter comes now before the court upon motion of plaintiff for an extension of time to respond to defendants’ motions to dismiss, lodged on the docket at entry numbers 16 and 20. The current deadline for plaintiff to respond is July 7, 2014. He seeks an additional 30 days’ time.


These defendants do not agree to any extension but will consent to a limited one of 21 days if the court is inclined to favor plaintiff’s request.

A third motion to dismiss has been lodged at entry number 33. It was filed later than the other two. Response to it is due by July 11, 2014. The court anticipates that plaintiff, in accord with basis offered in this instance for a time extension, similarly would seek more time to respond also to that third motion to dismiss.

The court finds good cause to ALLOW plaintiff, proceeding *pro se*, additional time to respond to these three motions. Plaintiff is allowed until **Friday, August 1, 2014**, within which to make his response to motions to dismiss of all defendants herein.

The court also takes up that motion for default judgment made by plaintiff, lodged at entry number 28 on the court's docket. While the time to expire has not yet elapsed, defendants against whom plaintiff moves, including David Barber, Pam Thomas, and Becky Williams, all have signaled their opposition in that most recently filed motion to dismiss, lodged at entry number 33. For reasons therein set forth, and where adjudication on grounds of default in this instance is disfavored, the court DENIES this motion.

SO ORDERED, this the 18th day of June, 2014.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive style with a large initial "L".

LOUISE W. FLANAGAN
United States District Court Judge