

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

NO.: 5:14-CV-419-H

PAUL A. MITCHELL, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BOARD OF TRUSTEES, WAYNE )  
COMMUNITY COLLEGE, )  
 )  
Defendant. )

**ORDER**

This matter is before the court on frivolity review pursuant to 28 U.S.C. § 1915. Plaintiff Paul Mitchell is a prolific pro se litigant. He has filed at least eight other lawsuits which were filed in, transferred to, or removed to the Eastern District of North Carolina. All the suits ultimately appear to arise from the same facts and circumstances—his termination as a basic skills instructor from Wayne Community College ("WCC").

This matter was referred to United States Magistrate Judge Kimberly A. Swank. Judge Swank filed an order and memorandum and recommendation (M&R) ordering that Mitchell's application to proceed in forma pauperis be allowed and recommending Mitchell's

Notice of Removal be stricken and this matter remanded to state court. No objections have been filed to the M&R, and the time for doing so has expired.

A full and careful review of the M&R and other documents of record convinces the court that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved. Accordingly, the court adopts the recommendation of the magistrate judge as its own. For the reasons stated therein, this matter is REMANDED to the North Carolina Court of Justice, Wayne County Superior Court Division.

This 3<sup>rd</sup> day of May 2016.



Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
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