

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

No. 5:15-CV-514-FL

DONNELL SAWYER,)
)
Plaintiff,)
)
v.)
)
DAVID P. MATTHEWS; JULIE)
RHOADES; WILLIAM N. RILEY;)
JAMIE R. KENDALL; PRICE)
WAICUKAUSKI & RILEY, LLC an)
Indiana limited liability company; and)
LIZZY SANTIAGO,)
)
Defendants.)

ORDER

This matter is before the court upon correspondence received from plaintiff requesting various forms of relief. The court received one original and one copy of the correspondence, with each containing different handwritten marks. The court DIRECTS the clerk to file the first page of the original correspondence as a motion to appoint counsel, motion for assistance in referring the case for criminal prosecution, and motion for extension of time. Enclosed with the first page of the correspondence are three letters from a medical provider addressed “to whom it may concern,” describing plaintiff’s medical condition and opining as to plaintiff’s ability to represent himself in litigation. Due to the confidential medical nature of the attachments, the clerk is DIRECTED to file such attachments under seal. The clerk is DIRECTED to file the copy of the correspondence as a further exhibit and sealed exhibit thereto.

With respect to the substance of the instant motions, the court DENIES the motion to refer the case for criminal prosecution, where this court lacks jurisdiction to refer matters brought by a

private citizen for criminal prosecution. The court DENIES plaintiff's motion for extension of time, where the court's case management order entered July 24, 2017, sets forth the deadlines and procedural requirements governing this case, and plaintiff has not demonstrated good cause for altering such deadlines and requirements.

Finally, the court DENIES plaintiff's motion for appointment of counsel, for the reasons previously given in order entered December 28, 2016. Plaintiff is DIRECTED to proceed with this matter in accordance with the court's case management order. In the event plaintiff is unable or unwilling to pursue this case as set forth in the court's case management order, the case may be dismissed by plaintiff voluntarily or by the court for failure to prosecute.

SO ORDERED, this the 9th day of August, 2017.


LOUISE W. FLANAGAN
United States District Judge