

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:09C442-MU-1

KENNETH LEE FOSTER, )  
)  
Plaintiff, )  
)  
v. )  
)  
CITY OF ASHEVILLE, et al., )  
)  
Defendants. )  
\_\_\_\_\_)

**ORDER**

**THIS MATTER** comes before the Court upon Plaintiff's Motion to Deny Notice of Substitution of Counsel (Doc. No. 15), filed March 12, 2010.

Plaintiff requests that this Court deny the Notice of Substitution of Counsel filed on March 3, 2010, because Plaintiff asserts that Defendant Crowe is not a federal agent. Defendant Crowe has filed a response with an exhibit establishing that he was at all times relevant to the material facts in the Complaint a deputized DEA task force officer. Plaintiff's Motion is frivolous and is denied.

**IT IS, THEREFORE, ORDERED** that Plaintiff's Motion to Deny Notice of Substitution of Counsel (Doc. No. 15) is **DENIED**.

Signed: March 23, 2010



Graham C. Mullen  
United States District Judge

