

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:10-cv-264

MAX BAILEY; MARGARET DALTON; )  
CASEY JOE HUNTLEY, as personal )  
representative for the Estate of )  
CARLTON BILL HUNTLEY; K.C., )  
by his guardian *ad litem* Robert C. )  
Carpenter, Esq.; A.D., by her )  
guardian *ad litem* James W. )  
Kilbourne, Jr., Esq.; and )  
STEVE MARLOWE, )

Plaintiffs, )

vs. )

POLK COUNTY, NORTH CAROLINA, )  
POLK COUNTY SHERIFF'S )  
DEPARTMENT, MATT PRINCE, )  
TRENT CARSWELL, CHRIS ABRIL, )  
CHARLES GRADY SHEHAN, )  
UNKNOWN POLICE OFFICERS, and )  
OTHER UNKNOWN STATE AND )  
FEDERAL LAW ENFORCEMENT )  
AGENCIES, )

Defendants. )

ORDER

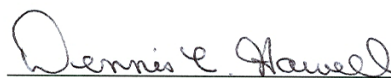
**THIS MATTER** has come before the undersigned pursuant to a reference from United States District Court Judge Martin Reidinger in regard to a motion filed by the parties entitled "Motion for Approval of Minor Settlement Agreement" (#46). After consultation with the District Court, it appears a status conference regarding the motion might possibly be beneficial. The undersigned will set a status conference for the

purpose of reviewing the status of the case for September 13, 2012. The purpose of this hearing is not to conduct a hearing concerning an approval of the proposed minors' settlement agreement but is for the purpose of the undersigned to consult with the attorneys for the parties concerning the scheduling of a hearing for the purpose of approving the proposed minors' settlement in this case. The parties will not be required to attend the status conference hearing. However, the attorneys for the parties and the guardians *ad litem* Robert C. Carpenter and James W. Kilbourne, Jr. will be required to attend.

### ORDER

**IT IS, THEREFORE, ORDERED** that a status conference is hereby set in the above entitled matter for **September 13, 2012 at 9:30 a.m.** in courtroom #2 of the United States Courthouse in Asheville, North Carolina. The attorneys for the parties and the guardians *ad litem*, Robert C. Carpenter and James W. Kilbourne, Jr. will be required to attend. The parties themselves are not required to attend the status conference hearing.

Signed: August 29, 2012



Dennis L. Howell  
United States Magistrate Judge

