IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13cv46

MARK KEVIN MILLER,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**ORDER**
	)	
WAL-MART,	)	
	)	
Defendant.	)	
	)	

Pending before the Court is Plaintiff's Motion to Submit Exhibits [# 28]. Plaintiff moves to submit two exhibits that show the size of the warehouse. None of these documents are pertinent to the issues before the Court on the Motion to Dismiss, and it would be improper for the Court to consider them. Accordingly, the Court **DENIES** the motion [# 28]. If any claims survive the District Court ruling on the soon to be issued Memorandum and Recommendation of this Court, then Plaintiff can introduce any such evidence at the summary judgment stage.

Signed: November 8, 2013

Dennis L. Howell
United States Magistrate Judge