

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13-cv-333-FDW**

TORREY F. WILCOX,)
)
 Plaintiff,)
)
 vs.)
)
 BETTY BROWN, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on Defendants Betty Brown, Dwayne Terrell, and Randy Teague’s Motion for Status Update, (Doc. No. 44).

Plaintiff’s *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 passed initial review against several employees of the Marion Correctional Institution on claims that his First Amendment rights were violated when he was deprived of a reasonable opportunity to participate in group worship services according to his Rastafarian faith during periods of 2013 and 2014. Plaintiff and Defendants filed Motions for Summary Judgment. Plaintiff’s Motion was denied and Defendants’ Motion was granted in part and denied in part. The case is ripe for trial.

Defendants note that Plaintiff filed a Notice of Future Change of Address that was docketed on August 10, 2018, (Doc. No. 38), that he was released from NCDPS custody on August 29, 2018, (Doc. No. 44-1 at 2), and that he has failed to file anything in this case in more than seven months, which may indicate that he has abandoned this action. Defendants ask that the Court enter an Order giving Plaintiff 14 days to formally advise the Court of his current address and whether he intends to prosecute this matter.

Defendants’ Motion will be granted in part and denied in part. Plaintiff will be required to

inform the Court whether or not he intends to proceed with this case, however, he will be given 30 days to do so, rather than the 14 days requested by Defendants.

IT IS, THEREFORE, ORDERED that Defendants' Motion, (Doc. No. 44), is **GRANTED** in part and **DENIED** in part. Plaintiff shall file a Notice with the Court within **30 days** of this Order informing the Court of his current address and whether or not he intends to prosecute this case.

Signed: April 4, 2019

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

