

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:15-CV-00044-MR-DSC**

TODD W. SHORT,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF NORTH CAROLINA, et. al.,)
)
 Defendants.)

ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion for Dismissal and Stipulation of Voluntary Dismissal with Prejudice of Defendant Robyn S. Morris...” (document # 42) filed May 29, 2015 and “Motion for Extension of Time to Amend Due to Medical Reasons” (document #44) filed June 1, 2015.

The Court will grant Plaintiff’s Motion for an extension of time to file his Second Amended Complaint. Plaintiff shall have up to and including June 4, 2015 to file his Second Amended Complaint. Since Plaintiff may amend his Complaint and has not served any of the Defendants, the Court will deny as moot his Motion to Dismiss. Plaintiff may address the subject of that Motion in his Second Amended Complaint.

IT IS THEREFORE ORDERED that

1. “Plaintiff’s “Motion for Extension of Time to Amend Due to Medical Reasons” (document #44) is **GRANTED**. Plaintiff shall file his Second Amended Complaint on or before June 4, 2015.

2. Plaintiff's "Motion for Dismissal and Stipulation of Voluntary Dismissal with Prejudice of Defendant Robyn S. Morris..." (document # 42) is **DENIED AS MOOT**.

The Clerk is directed to send copies of this Order to pro se Plaintiff; and to the Honorable Martin Reidinger.

SO ORDERED.

Signed: June 1, 2015



David S. Cayer
United States Magistrate Judge

