

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16 CV 324**

JOHN ALEXANDER COMBS,)	
)	
Plaintiff,)	
)	<u>ORDER</u>
v)	
)	
RICHARD M. HEEBNER,)	
)	
Defendant.)	

THIS MATTER is before the undersigned pursuant to a Notice of Settlement and Consent Motion to Extend Dismissal Timeframe (#17). In the motion, Defendant requests that Defendant be given ninety (90) days within which to “perform certain actions” which will result in the filing of a formal dismissal. The standard time that is granted for the filing of a stipulation of dismissal is thirty (30) days. In the motion, Defendant does not set forth the reason for the request of ninety days.

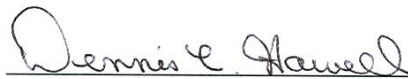
The undersigned has examined the file in this matter and finds that the nature of the action is a personal injury action in which Plaintiff has brought an action against Defendant for negligence arising out of a motorcycle accident as is described in Plaintiff’s Complaint wherein it is alleged that Defendant, who was operating a motorcycle, hit the Plaintiff, who was operating a motorcycle, in the rear while the

Plaintiff's motorcycle was sitting in a proper lane waiting for oncoming traffic to pass. The motion does not state reasons why a ninety-day period of time would be required to effect the settlement of this case. The undersigned has consulted with the District Court regarding the Defendant's motion and as a result of such consultation, will enter an Order requiring that Defendant's counsel set forth a detailed and particular set of facts which would merit an extension of the settlement of this matter for a period of ninety days.

ORDER

IT IS, THEREFORE, ORDERED that the ruling of the Court on the Notice of Settlement and Consent Motion to Extend Dismissal Timeframe (#17) is held in **ABAYENCE**. It is **ORDERED** that Defendant's counsel shall provide to the Court detailed and particular information as to the reasons why an extension of ninety days would be merited in this matter.

Signed: March 30, 2017



Dennis L. Howell
United States Magistrate Judge

