

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:17 cv 252**

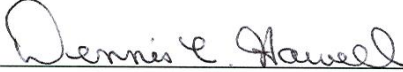
**T.W.**, by her next friend Kristena Wilson, )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**SHANE DAVIS and THE CITY OF** )  
**KINGS MOUNTAIN** )  
 )  
**Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

On September 9, 2017, T.W., by next friend and mother Kristena Wilson, filed her Complaint [# 1]. T.W. is eighteen [# 1]. T.W. has been diagnosed with autism and suffers from anxiety and narcolepsy [# 1]. While the distinction between next friend and guardian ad litem remains fine, the Court will require that a guardian ad litem be appointed for T.W. See Fed. R. Civ. P. 17(c)(2); Blackwell v. Vance Trucking Co., 139 F. Supp. 103, 106 (1956).

Therefore, the Court **DIRECTS** Plaintiff’s counsel to file a motion on or before January 18, 2017 to have Plaintiff’s mother, or someone else qualified, to be appointed as a guardian ad litem for **T W**

Signed: January 5, 2018



Dennis L. Howell  
United States Magistrate Judge

