

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17-cv-343-FDW**

DARRYL BOYD ADKINS,)	
)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
FNU MARTIN, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on periodic review of the record and on two pending motions filed by Plaintiff, (Doc. Nos. 39, 40).

Plaintiff has filed a “Motion for an Defendants Respond to Plaintiff’s Amended Complaints and All Motions of Defendants be Dismiss and Denied,” (Doc. No. 39), and “Plaintiff Motion for an Defendants Respond to Plaintiff’s Amended Complaint and All Motions of Defendants be Dismiss and Denied,” (Doc. No. 40). In both, he argues that the Defendant has failed to respond to the Amended Complaint. He asks that judgment be entered in his favor, that Defendant not be granted any further extensions of time, that all Defendant’s responses be dismissed, and that Plaintiff be granted access to a video conference before a settlement board.

Plaintiff’s Motions will be denied. His suggestion that Defendant is in default is incorrect; Defendant filed an Answer on October 24, 2018. (Doc. No. 38). Plaintiff’s requests for entry of default judgment and that no further extensions be granted will therefore be denied as moot. Plaintiff’s requests that all Defendant’s responses be dismissed and that mediation be held, will be denied. Plaintiff is admonished to stop filing repetitive and frivolous motions.

The Court also notes that the Answer reflects that Defendant’s correct name is Pamela

Martin. The Clerk of Court shall be instructed to correct Defendant's name in the record.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motions, (Doc. Nos. 39, 40), are **DENIED** for the reasons stated in this Order.
2. The Clerk of Court is respectfully instructed to substitute **Pamela Martin** for "FNU Martin."

Signed: November 5, 2018



Frank D. Whitney
Chief United States District Judge

