

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:21-cv-00164-MR**

THOMAS HUGHES, )  
                          )  
Plaintiff,            )  
                          )  
vs.                    )                    ORDER  
                          )  
FNU PROPST,            )  
                          )  
Defendant.            )  
                          )  
\_\_\_\_\_

**THIS MATTER** is before the Court on Plaintiff's Motions for Court Order. [Docs. 68, 69].

Pro se Plaintiff Thomas Hughes ("Plaintiff") is a prisoner of the State of North Carolina, currently incarcerated at Alexander Correctional Institution ("Alexander") in Taylorsville, North Carolina. Plaintiff filed this action on June 21, 2021, pursuant to 42 U.S.C. § 1983, naming FNU Propst as the sole Defendant. [Doc. 1]. Discovery in this matter has concluded and the dispositive motions deadline is August 12, 2022. [See Doc. 60; 7/14/2022 Docket Entry]. Plaintiff has filed two motions now before the Court. [Docs. 68, 69]. In one, Plaintiff seeks an update on the status of this case and makes various inquiries regarding preparation for and the conduct of the trial. [Doc. 68]. In the other, Plaintiff moves the Court to order the Clerk to provide

Plaintiff with eight copies of a subpoena form to subpoena witnesses for trial. [Doc. 69]. The Court will deny Plaintiff's motions as premature. This matter may be resolved at summary judgment without the need for a trial. Should this matter not be resolved at summary judgment and absent objections by the parties, the Court will order that a judicial settlement conference be conducted. A trial will be held only on unsuccessful completion of such conference. Plaintiff is advised that if a trial is held the Court will likely conduct a pretrial conference immediately before the beginning of trial. In any event, Plaintiff will have ample time to prepare for trial.

The Court, therefore, will deny Plaintiff's motions without prejudice as premature in accordance with the terms of this Order.

**IT IS, THEREFORE, ORDERED** that Plaintiff's Motions for Court Order [Docs. 68, 69] are **DENIED**.

**IT IS SO ORDERED.**

Signed: August 1, 2022



Martin Reidinger  
Chief United States District Judge

