

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:13 cv 18**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 2012 GMC SAVANNAH VAN)
 VIN: 1GDS7DC40C1145561)
)
 Defendant.)
 _____)

ORDER

THIS MATTER has come before the undersigned pursuant to the filing by Kris V. Williams, attorney for the claimant, Jackie Lee Rattler of First Interrogatories by the Claimant (#27) and Request for Production of Documents (#28). The filing of these materials is in direct violation of LCvR 26.2 which states as follows:

DISCOVERY MATERIAL NOT TO BE FILED UNLESS ORDERED OR NEEDED.

The parties shall not file any initial disclosures, designations of expert witnesses and their reports, discovery requests or responses thereto, deposition transcripts, or other discovery material unless: (1) directed to do so by the Court; (2) such materials are necessary for use in an in-court proceeding; or (3) such materials are filed in support of, or in opposition to, a motion or petition.

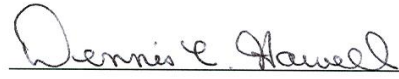
An examination of the file in this matter shows that the claimant has not

been directed to file his Interrogatories or Request for Production of Documents by the Court. The undersigned finds the filing of such materials are not necessary for use in any in-court proceeding at this time, and the filing of such materials has not been filed in support of or in opposition a motion or petition. As a result, the undersigned will enter an order striking from this file the First Interrogatories by the Claimant (#27) and the Request for Production of Documents (#28). Further, counsel for the claimant will be ordered and directed to file with this Court on or before February 21, 2014 a full and complete statement advising the Court as to his reasons why he filed the interrogatories and the request for production of documents in violation of LCvR 26.2.

ORDERED

IT IS, THEREFORE, ORDERED that the First Interrogatories by the Claimant (#27) and the Request for Production of Documents (#28) are hereby ordered by the Court to be **STRICKEN** and deleted from the file in this matter. It is further **ORDERED** that counsel for the claimant shall file with the Court on or before **February 21, 2014** a full and complete report setting forth the reasons why counsel for claimant violated LCvR 26.2. Counsel for claimant is further advised that further violations of the Local Rules of Civil Procedure in this matter may be sanctioned by the taxing of costs and fees.

Signed: February 7, 2014

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Dennis L. Howell
United States Magistrate Judge

