

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10cv505**

**CHARLES EVERETTE HINTON,** )  
 )  
 **Plaintiff,** )  
 )  
**Vs.** )  
 )  
**MICHAEL W. HENDERSON;** )  
**PETER S. GILCHRIST; TERESA** )  
**BROADWAY; and ANDREW** )  
**RUDGERS, Probation Officer,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

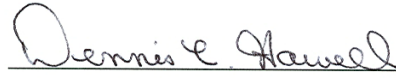
**ORDER**

**THIS MATTER** is before the court on plaintiff’s Motion for Discovery Materials and Interrogatories (#37). Such motion is premature as the time for discovery has not commenced and cannot commence until issue join and a Pretrial Order has been entered. Other than consensual discovery, the Local Civil Rules provide that “Court enforceable discovery does not commence until issues have joined and a Scheduling Order is entered.” L.Cv.R. 16.1(F).

**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff’s Motion for Discovery Materials and Interrogatories (#37) is **DENIED**.

Signed: March 1, 2011



Dennis L. Howell  
United States Magistrate Judge

