

**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF NORTH CAROLINA
 CHARLOTTE DIVISION
 No: 3:10-CV-00565- RLV-DSC**

FLOYD LEE BROWN, by and through his)
Guardian Ad Litem, Anthony Giordano,)
)
Plaintiff,)
v.)
)
ANSON COUNTY, ROBERT LUTHER)
POPLIN, JR., in his individual capacity,)
SHERIFF TOMMY ALLEN, in his individual)
and official capacities, SHERIFF JAMES)
SELLERS, in his individual and official)
capacities, JOHN AND JANE DOES 1-10, in)
their individual capacities, and RICHARD)
and ROBERTA ROES 1-10, in their)
individual capacities,)
)
Defendants.)
)
)

THIS MATTER is before the Court on Plaintiff’s “Motion for a Stay or, in the Alternative, for an Extension of Time” (document #9), and the parties’ associated briefs. See documents ## 11 and 12.

The Court concludes that Plaintiff has not made a sufficient showing for entry of a stay in this matter. For this reason and for the other reasons stated in “Defendants’ Response ...” (document #11), the Court will deny Plaintiff’s Motion for a Stay but grant the alternative relief requested - an extension of time for Plaintiff to respond to Defendants’ “Motion to Dismiss” (document #6). As Defendants concede in their brief, once the pending Motion to Dismiss has been resolved by the Honorable Richard L. Voorhees, it will be appropriate for Plaintiff to renew his Motion for a Stay.

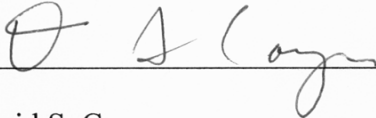
IT IS THEREFORE ORDERED:

1. Plaintiff's "Motion for a Stay or, in the Alternative, for an Extension of Time" (document #9) is **GRANTED IN PART** and **DENIED IN PART**, that is, Plaintiff shall have twenty-one (21) days from the date of this Order to respond to Defendants' Motion to Dismiss. Plaintiff's Motion is **DENIED** in all other respects.

2. The Clerk of Court is directed to send copies of this Order to the parties' counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: March 7, 2011



David S. Cayer
United States Magistrate Judge

