

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11cv49**

<b>GORDON REYNOLDS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	
<hr style="width: 30%; margin-left: 0;"/>	)	

**ORDER**

**THIS MATTER** is before the court on preliminary review of the Memorandum and Recommendation of the magistrate judge and plaintiff’s objections. Such objections contain serious contentions, such as “the magistrate judge falsely stated . . . .” See Objections (#24), at 3. Allegations that a judicial officer did something “falsely” concern this court and, before taking further action on such accusations, the court believes that a response to the objections should be filed by the defendant even though the time for doing so has expired.<sup>1</sup> 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P. 72. The Commissioner will, therefore, be granted leave to file a response by March 9, 2012.

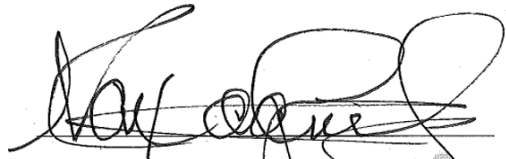
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<sup>1</sup> Counsel for plaintiff is advised that “falsely” is not synonymous with “incorrectly” or “erroneously,” and that public confidence in the judiciary is not well served where the terms are used interchangeably. Counsel for plaintiff is cautioned not to use the word falsely unless he is alleging an intentional falsehood on the part of the Magistrate Judge.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the Commissioner file his response to the objections not later than March 9, 2012.

Signed: February 27, 2012

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line. The signature is stylized and cursive.

Max O. Cogburn Jr.  
United States District Judge