

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-615-DCK**

KIMBERLY F. SHAREEF,

Plaintiff,

v.

**PATRICK R. DONAHOE,
Postmaster General, U.S. Postal Service,**

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Motion For Emergency Stay Pending Appeal And Petition For Review" (Document No. 102) filed December 4, 2013. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review of this motion is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will deny the motion.

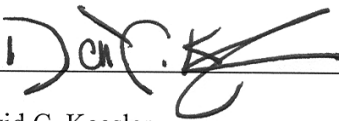
As noted by Plaintiff, the Court has ordered that she file a response to the "Federal Defendant's Motion To Dismiss Or, In The Alternative, For Summary Judgment" (Document No. 62). See (Document No. 96). Plaintiff's most recent deadline to respond was November 20, 2013. Id. Plaintiff has failed to file a response and the time to do so has lapsed. The undersigned observes that Plaintiff recently represented to the Court that she was unable to respond to the pending motion due to "[i]ntervening circumstances." (Document No. 101). Despite Plaintiff's purported hardships, she has filed a third appeal to Fourth Circuit, and now suggests that she will decline to file a response because she believes it "will prove futile." (Document No. 102, p.3).

The undersigned does not find good cause for a Stay of this matter. The Court will issue a decision on the pending dispositive motion as soon as practicable.

IT IS, THEREFORE, ORDERED that Plaintiff's "Motion For Emergency Stay Pending Appeal And Petition For Review" (Document No. 102) is **DENIED**.

SO ORDERED.

Signed: December 4, 2013



David C. Keesler
United States Magistrate Judge

