

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12-cv-364-RJC**

**ROGER LEE DEAL, SR.,** )  
 )  
 **Plaintiff,** )  
 )  
 v. )  
 )  
 **NORTH CAROLINA** )  
 **DEPARTMENT OF** )  
 **CORRECTIONS;** )  
 **FNU STEVENS, Nurse;** )  
 **SERGEANT TRIPLETT;** )  
 **UNIDENTIFIED INMATE;** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on its own motion following the Fourth Circuit’s entry of an order affirming this Court’s dismissal of his complaint which he filed pursuant to 42 U.S.C. § 1983. Deal v. North Carolina Dep’t of Corr., et al., No. 13-7492 (4th Cir. filed Jan. 24, 2014). While Plaintiff’s appeal was pending he filed two motions: one for appointment of a mediator and production of medical records, and a second motion for summary judgment. The Court finds that as Plaintiff’s case has been dismissed his motions should be dismissed as moot.

**IT IS, THEREFORE, ORDERED** that Plaintiff’s motion for appointment of a mediator and production of medical records, (Doc. No. 43), and his motion for summary judgment, (Doc. No. 45), are **DISMISSED** as moot.

Signed: May 23, 2014



Robert J. Conrad, Jr.  
United States District Judge

