

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-cv-00273-MOC-DCK

**JAMES ANDREW LACOY,** )  
 )  
 Plaintiff, )  
 )  
 Vs. ) ORDER  
 )  
**IAC,** )  
 )  
 Defendant. )

**THIS MATTER** is before the court on review of a non-dispositive Order issued by Honorable David C. Keesler, United States Magistrate Judge, in this matter, denying plaintiff’s Motion for Appointment of Counsel in this private civil matter. Plaintiff has filed objections to such Order.

The district court has authority to assign non-dispositive pretrial matters pending before the court to a magistrate judge to “hear and determine.” 28 U.S.C. § 636(b)(1)(A). When reviewing an objection to a magistrate judge’s order on a non-dispositive matter, the district court must set aside or modify any portion of that order which is clearly erroneous or contrary to law. Fed.R.Civ.P. 72(a). To show that a magistrate judge’s order is contrary to law, the objecting party must show that the magistrate judge failed to apply or misapplied statutes, case law, or procedural rules. See Catskill Dev. LLC v. Park Place Entm’t Corp., 206 F.R.D. 78, 86 (S.D.N.Y.2002).

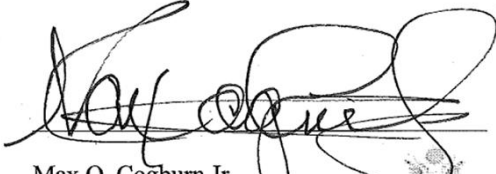
The court has carefully reviewed the Order as well as the objection, and has determined that the Order of the magistrate judge is fully consistent with and supported

by current law. Based on such determination, the court will overrule the objection and fully affirm the Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the Objection (#10) is **OVERRULED**, and the Order (#8) is **AFFIRMED**.

Signed: May 28, 2013



Max O. Cogburn Jr.  
United States District Judge