

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
 CHARLOTTE DIVISION  
 CIVIL ACTION NO. 3:16-CV-701-DCK**

**MARSHALL O. LOWERY,** )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**UNITED STATES OF AMERICA,** )  
 )  
**Defendant.** )  
 )

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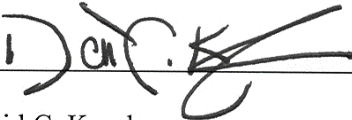
**ORDER**

**THIS MATTER IS BEFORE THE COURT** on Defendant’s “Motion For A Stay Of Case In Light Of Lapse Of Appropriations” (Document No. 63) filed December 2, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion without prejudice.

If the partial Government shutdown continues through January 11, 2019, the Court will reconsider a stay of this case.

**IT IS, THEREFORE, ORDERED** that Defendant’s “Motion For A Stay Of Case In Light Of Lapse Of Appropriations” (Document No. 63) is **DENIED WITHOUT PREJUDICE.**

Signed: January 3, 2019

  
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 David C. Keesler  
 United States Magistrate Judge
 