

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-505-RJC-DCK**

VERNON BOYTON,)
)
 Plaintiff,)
)
 v.)
)
 XEROX COMMERCIAL SOLUTIONS, LLC,)
 et al.,)
)
 Defendants.)
)

ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiff’s “Defamation Of Character, Slander, Libel, Negligence And Intentionally Infliction Of Emotional Distress” (Document No. 20) filed February 7, 2018. This filing has been construed by the Clerk’s Office as a “motion” and has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b). Having carefully considered the “motion,” the record, and applicable authority, the undersigned will deny the motion, without prejudice.


Plaintiff Vernon Boyton is appearing in this matter *pro se*. Mr. Boyton filed an “Amended Complaint” (Document No. 11) asserting claims for employment discrimination on October 30, 2017. Also pending are: “Defendants’ Second Motion To Compel Arbitration And Dismiss Or In The Alternative To Stay Proceedings Pending Arbitration” (Document No. 13); Plaintiff’s “Motion and Order for a Temporary Restraint Order” (Document No. 15); and Plaintiff’s “Motion to Dismiss Xerox’s Dispute Resolution Plan...” (Document No. 18).

It is unclear exactly what the *pro se* Plaintiff is seeking to accomplish by the instant filing, which does not appear to be supported by any reference to legal authority. (Document No. 20). Yesterday, February 6, 2018, was Plaintiff’s deadline to file a reply brief in support of his “Motion

to Dismiss Xerox's Dispute Resolution Plan..." (Document No. 18), but this filing does not appear to reference that motion or Defendants' response. To the extent Plaintiff is seeking to amend his Complaint, again, he should file a proper motion that clearly states what relief he is seeking and the grounds for such a motion. See Local Rule 7.1; see also Fed.R.Civ.P. 15.

IT IS, THEREFORE, ORDERED that Plaintiff's "Defamation Of Character, Slander, Libel, Negligence And Intentionally Infliction Of Emotional Distress" (Document No. 20) is **DENIED WITHOUT PREJUDICE.**

Signed: February 7, 2018



David C. Keesler
United States Magistrate Judge

