

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:18-CV-00189-GCM**

JAMES C. MCNEILL,

Plaintiff,

v.

**MICHAEL D. HINSON,
FNU SIMMONS,
WILLIAM HORNE,
FNU KINNEY,
FNU ALLEN,
THOMAS B. TURGEON,**

Defendants.

ORDER

THIS MATTER comes before the Court on its own motion. Trial in this matter is presently set for January 10. However, Plaintiff's requests for trial witnesses—including writs of habeas corpus ad testificandum for incarcerated witnesses and subpoenas for non-incarcerated witnesses—are still pending before the Court. The Court reluctantly concludes that trial in this matter must be continued yet again in order to properly consider the pending motions and to provide sufficient time for state officials to comply with the Court's forthcoming Orders.

IT IS THEREFORE ORDERED that:

1. The Clerk shall **RESET** the trial date in this case to February 14, 2022.
2. The Writ of Habeas Corpus Ad Testificandum for James C. McNeill (ECF No. 79) is **VACATED**.
3. The Clerk is respectfully directed to **TRANSMIT A COPY** of this Order to all parties; the U.S. Marshal; the Warden of the Granville Correctional Institution, Box 2500,

Butner, NC 27509; and Joyce Meadows, NCDPS Administrative Specialist for Writs,
joyce.meadows@ncdps.gov.

SO ORDERED.

Signed: January 4, 2022

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

