

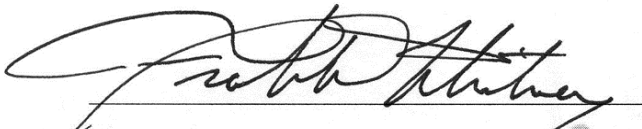
**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-198-FDW**

<b>JAMES A. WILSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>BRETT SIMMONS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
<hr style="width:50%; margin-left:0"/>	)	

**THIS MATTER** is before the Court on Defendant Kearry Hinson’s Motion *Nunc Pro Tunc* to Deem Answer Timely Filed, (Doc. No. 28). Defendant argues that the Answer should be accepted as timely filed because the Clerk of Court has not entered a default and Plaintiff has not moved for default judgment, Hinson has a valid defense, it will not prejudice Plaintiff, and Hinson and his counsel were not dilatory. For good cause shown,

**IT IS ORDERED** that Defendant Hinson’s Motion *Nunc Pro Tunc* to Deem Answer Timely Filed, (Doc. No. 28), is **GRANTED**.

Signed: May 14, 2019

  
\_\_\_\_\_  
Frank D. Whitney  
Chief United States District Judge

