

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

5:07cv74

EDITH C. PETERSON, individually,)
and as Trustee of the ECP Trust,)

Plaintiff,)

Vs.)

ORDER

THE CITY OF HICKORY; THE)
CITY OF HICKORY CODE)
ENFORCEMENT DIVISION,)
HICKORY, NC 28601; MR. JERRY)
SHERWOOD; MR. MICHAEL E.)
CASH; THE CITY OF HICKORY)
PLANNING BOARD; CATAWBA)
COUNTY, NC 28658; CATAWBA)
COUNTY ZONING BOARD;)
CATAWBA COUNTY PUBLIC)
HEALTH DEPARTMENT)
ENVIRONMENTAL AFFAIRS)
DIVISION; and CATAWBA)
COUNTY PLANNING BOARD,)

Defendants.)

_____)

THIS MATTER is before the court on plaintiff Edith C. Peterson’s Motion for Reconsideration of Magistrate Judge’s 7/5/2009 Order. In that Order this court denied such plaintiff’s *pro se* motion for additional time to find counsel inasmuch as

she was, at that time, represented by counsel.

Since entry of the Order which Ms. Peterson asks this court to reconsider, the court has entered a second Order which allowed her former attorney to withdraw and gave Ms. Peterson, in her capacity as trustee, 30 days within which to secure substitute counsel for the trust. Such Order was sent to plaintiff *via* certified mail on July 9, 2009. The Clerk of court informs the court that despite the passage of some 13 days, Ms. Peterson has not picked up and signed for her legal mail from this court.

It appearing that the relief sought in the instant motion is mooted by this court's July 9, 2009, Order, the request will be denied. Ms. Peterson is strongly encouraged to check her mail regularly, have her mail forwarded or checked when she is away for long periods, and at all times keep the Clerk of this court advised as to where she will be receiving her mail.

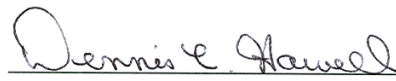
ORDER

IT IS, THEREFORE, ORDERED that plaintiff Edith C. Peterson's Motion for Reconsideration of Magistrate Judge's 7/5/2009 Order (#94) is **DENIED** as moot.

Ms. Peterson, suing in her capacity as the Trustee of the ECP Trust, is again advised that if an attorney does not appear on behalf of the trust on or

before August 10, 2009, the undersigned will thereafter recommend to the district court that such plaintiff's claims be dismissed.

Signed: July 22, 2009

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Dennis L. Howell
United States Magistrate Judge

