

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:07cv119**

**CHRISTOPHER WALTER ICKERT,)
ET UX., ET AL.,)**

Plaintiffs,)

Vs.)

ORDER

**UNITED STATES OF AMERICA,)
TRAVIS BARRY ROLLINS, and)
DAVID WINSTON THOMPSON,)**

Defendants.)

_____)
THIS MATTER is before the court on the individual plaintiffs’ Motion for Order Approving Minor Settlement (#43). The court previously set such motion for hearing on Monday, December 8, 2008, at 9 a.m. in Charlotte, to be heard before the commencement of a jury trial in another matter. As of December 1, 2008, however, that trial was continued, making the hearing in this matter the only matter for hearing on that date. The court cannot, however, justify either court travel at taxpayer expense of some 240 miles for one 15 minute proceeding or having two court employees absent from their primary duty station for an entire day for what amounts to a very brief task. The hearing in Charlotte will be cancelled and reset for the same time and date in Asheville.¹ Further, such travel would leave Asheville without a

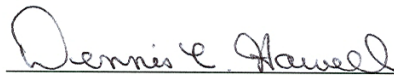
_____)
¹ The court wished to accommodate the parties with a Charlotte setting inasmuch as minors are involved. Since the presence of the minors has been excused, the necessity for holding this matter in Charlotte is diminished.

magistrate judge for such date. If this is inconvenient for any of the parties or their counsel, the court will consider other dates and times in December that can be agreed upon by all the parties.

ORDER

IT IS, THEREFORE, ORDERED that the hearing on the individual plaintiffs' Motion for Order Approving Minor Settlement (#43) set for Charlotte on Monday, December 8, 2008, is **RESET** for hearing in Asheville on the same date and at the same time.

Signed: December 2, 2008

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Dennis L. Howell
United States Magistrate Judge

