

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:09-CV-00022-RLV-DSC**

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
SHELBY DEAN MARTIN, D.)
MARTIN ENTERPRISES, INC.,)
and DM VENTURES, LLC,)
)
Defendants.)
_____)

ORDER

THIS MATTER is before the Court upon Receiver Pettit’s Motion to Stay the Court’s prior Order directing that Defendant Martin’s assets be paid to the Federal Treasury, filed on April 24, 2012. (Doc. 32.)

The Court previously directed that funds presently held in escrow be paid to the U.S. Securities and Exchange Commission, and thereafter deposited with the Crime Victims Fund in the U.S. Treasury, partly in light of Plaintiff’s belief that Martin and his wife have no additional assets. (Doc. 26 at 3.) Receiver Pettit now brings to the Court’s attention a number of equity interests in both publicly traded and privately held entities owned by Martin, apparently having potentially significant value. Receiver presently waits for a grant of authority to access documents seized by the Securities Division of the North Carolina Secretary of State, which include the Certificates of Stock and other documents that show ownership in the publicly traded and privately held entities.

IT IS, THEREFORE, ORDERED that Receiver Pettit’s Motion to Stay be

GRANTED. (Doc. 32.) The Court's Order filed March 30, 2012, is hereby stayed for a period of two months from the date this Order is entered, during which time Receiver is to attempt to obtain and sell all of the equity interests of Defendant Martin, and may be further stayed in light of additional filings submitted by Receiver. Receiver is directed to file a report with the Court on or before June 5, 2012, indicating the status of his actions and efforts to liquidate the publically and privately held equity interests of Defendant Martin.

Signed: April 26, 2012

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a large, sweeping initial "R".

Richard L. Voorhees
United States District Judge

