

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL NO.: 5:12CV191-RLV

WILLIE M. BURKE,

Plaintiff,

v.

CAROLYN W. COLVIN, as acting  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

**THIS MATTER IS BEFORE THE COURT** on Plaintiff's "Response to Motion and Motion to Act on Plaintiff's Pending Motion of Extension of Time." Having carefully considered the motion, and noting consent of Defendant's counsel, the undersigned will grant the motion for extension of time and deny Defendant's Motion to Dismiss.

**IT IS THEREFORE ORDERED** that the Plaintiff's "Motion for Extension of Time to file Dispositive Pleading and Supporting Brief" (Document No. 13) is **GRANTED** and defendant's "Motion to Dismiss/Lack of Prosecution" (Document No. 14) is **DENIED**. Plaintiff shall have an additional thirty (30) days from the date of this order in which to file his motion for summary judgment and brief in support of that motion and the Defendant shall have sixty (60) from the date of this order in which to file its response.

Signed: September 19, 2013



Richard L. Voorhees  
United States District Judge

