

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

MAR - 1 2023

3:07 mc 061

US District Court
Western District of NC

IN RE: ALLOCATION OF PRISONER PRO SE CASES
ORDER

This case assignment order applies to all cases filed by prisoners proceeding pro se in prosecuting civil actions alleging violations of 42 USC 1983 and/or Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971) (hereinafter together referred to as “1983 Cases”). With regard to these 1983 Cases, this Order supersedes Order 3:07 MC 061 Docs. 5 and 14, dated August 17, 2010, and November 19, 2021, respectively, and 1:15 MC 008 Doc. 4, dated December 12, 2019, and 5:13 MC 003 Doc. 4 dated December 12, 2019.

The 1983 Cases shall be divided and allocated as follows:

4/9 to Chief Judge Reidinger
1/9 each to Judges Conrad, Whitney, Cogburn, Bell, and Mullen

This allocation shall be without regard to the Division in which the case has been filed.

Of the cases assigned to Chief Judge Reidinger, they shall be referred to the Magistrate Judges for Memorandum and Recommendation as to any dispositive motions (including Summary Judgment), and for order regarding any non-dispositive motions, as follows:

¼ each to Magistrate Judges Keesler, Rodriguez and Metcalf.

No other 1983 Cases would be referred to the Magistrate Judges. Chief Judge Reidinger retains ¼ of these cases assigned to him without referral to any Magistrate Judge.

For the few of these 1983 Cases that survive Summary Judgment, a determination will be made at that time as to the Division in which the case will be tried, based on where the plaintiff prisoner is housed at that time. This determination shall be without regard to the Division wherein the case was filed. Such determination as to the location of the trial may necessitate the reassignment of the case to a different District Judge from the one who had handled the matter up to that time.

For any 1983 Case for which it is ordered that a Judicial Settlement Conference shall be conducted before a Magistrate Judge, such Judicial Settlement conference shall be conducted by a Magistrate Judge other than one who issued any M&R or Order in that case.

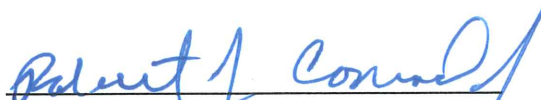
All 1983 Cases shall be assigned to the Pro Se Law Clerks.

This Order shall be effective April 1, 2023, for all 1983 Cases filed on or after that date.

Entered this the 1 day of March, 2023.



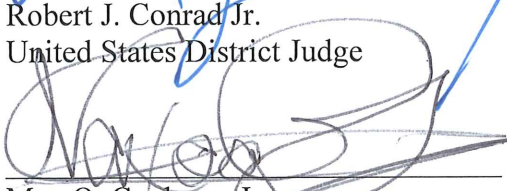
Martin Reidinger
Chief United States District Judge



Robert J. Conrad Jr.
United States District Judge



Frank D. Whitney
United States District Judge



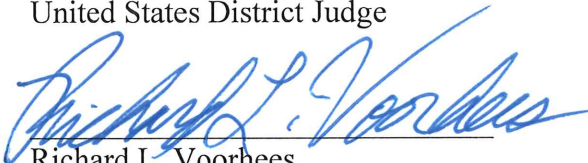
Max O. Cogburn, Jr.
United States District Judge



Kenneth D. Bell
United States District Judge



Graham C. Mullen
Senior United States District Judge



Richard L. Voorhees
Senior U.S. District Judge