NORTH CAROLINA

GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
File No. _____ -

_____
-
           Plaintiff
           v.
_____
-
           Defendant

O R D E R
(CLEAN UP CALENDAR)

THIS MATTER came on for hearing before the undersigned Judge of the District Court on _____, 20____ on the Court's own motion pursuant to Rule 41 of the NC Rules of Civil Procedure. It was placed on the Clean-Up Calendar of the 18th Judicial District, District Court Division, pursuant to Rule 11 of the Civil Case Management Rules.

The case being called for hearing, the Court makes the following **FINDINGS OF FACT**:

1.   Plaintiff instituted this civil action and Defendant ☐has ☐has not responded.

2.   Neither party has moved forward with the case in a substantial period of time in violation of Civil Case Management Rules and the Case Manager placed the case on the Clean-Up Calendar pursuant to the Case Management Rules.

4.   Participants were provided appropriate notice pursuant to the Case Management Rules.

5.   ☐Plaintiff ☐and ☐Defendant did not appear pursuant to the notice of the Court.

6.   In the absence of evidence in support of the relief prayed for in the pleadings, the Court is prevented from going forward on the claims for relief not addressed by previous Orders.

7.   No other lesser sanction is appropriate to dispose of the case.

BASED UPON THE FOREGOING FINDINGS OF FACT, THE COURT REACHES THE FOLLOWING CONCLUSIONS OF LAW:

1.   The parties have failed to comply with the Civil Case Management Rules.

2.   Pursuant to Rule 41 (b)&(c), NC Rules of Civil Procedure, no lesser sanction than dismissal suffices with regard to the claims for relief which have not heretofore been resolved by Court Order.

3.   The claims for relief indicated below should be ☐denied ☐dismissed, ☐with ☐without prejudice:

BASED UPON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the following claims for relief

- _____	is	☐denied ☐dismissed, ☐with ☐without prejudice
- _____	is	☐denied ☐dismissed, ☐with ☐without prejudice
- _____	is	☐denied ☐dismissed, ☐with ☐without prejudice
- _____	is	☐denied ☐dismissed, ☐with ☐without prejudice
- _____	is	☐denied ☐dismissed, ☐with ☐without prejudice

This the _____ day of _____, 20_____.

_____