

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Criminal Action 3:05CR68-5
(BROADWATER)**

GEORGE CARTER,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day the above styled case came before the Court for consideration of the Report and Recommendation of Magistrate Judge David J. Joel, dated January 13, 2006. The petitioner did not file objections to the Report. After reviewing the above, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be and is hereby **ORDERED** adopted.

The Court further **ORDERS** that, based on the reasons set forth in the Magistrate's Report and Recommendation (Docket No. 211):

- 1) The defendant's Motion to Represent Himself is deemed **WITHDRAWN**;
- 2) The defendant's Motion for Extension of Time to File Pretrial Motions (Docket No. 196) is hereby **GRANTED**;
- 3) The defendant's Motion to Sever (Docket No. 198) is **DENIED**, although the court grants the defendant leave to resubmit the substance of the motion to the court at the appropriate time as a Motion in Limine.

It is so **ORDERED**.

The Clerk is directed to transmit true copies of this order to the petitioner and all counsel of

record herein.

DATED this 2nd day of February 2006.

W. Craig Broadwater

W. CRAIG BROADWATER
UNITED STATES DISTRICT JUDGE