

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
1:25-mc-5

IN THE MATTER OF AN APPOINTMENT) Order Establishing a
OF A UNITED STATES MAGISTRATE) Merit Selection Panel pursuant to
JUDGE) 28 U.S.C. § 631(b)(5)

ORDER

The judges of the United States District Court for the Middle District of North Carolina do hereby establish and appoint a Merit Selection Panel, composed of the following persons, to consider applicants for the position of full time United States Magistrate Judge for the United States District Court, Middle District of North Carolina, upon the retirement of United States Magistrate Judge Joe L. Webster.

William K. Davis, *Chair*
Attorney at Law
Bell, Davis & Pitt
100 N. Cherry St.
Winston-Salem, NC 27101

William V. "Bill" Bell
Public Member
President/CEO
UDI/CDC
631 United Dr., Ste. 100
Durham, NC 27713

Dr. James Clotfelter
Public Member
4100 Angelica Ln.
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Lisa Costner
Attorney at Law
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251 N. Main St., Ste. 849
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Kellie Mannette
Attorney at Law
Thomas Ferguson & Beskind
119 East Main Street
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David Sar
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Brooks Pierce
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Greensboro, NC 27401

Pursuant to 28 U.S.C. § 631(b)(5), the Panel shall comply with the standards and procedures promulgated by the Judicial Council of the United States. The Clerk of Court shall provide secretariat duties to the Panel.

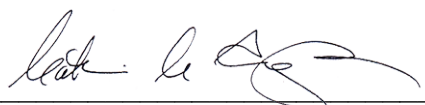
The Panel shall submit its report to the Chief District Judge no later than July 17, 2025. The Panel shall submit the names of five applicants that it finds most qualified to serve as a United States Magistrate Judge. The Court may accept a list containing fewer than five names if the Panel shows good cause in its report.

All Panel members are hereby advised through Appendix I of this order of the restriction set forth in § 420.30.10(d) of the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment and Reappointment of United States Magistrate Judges. In summary, for a Merit Selection Panel member be considered for a future magistrate judge position with this court, one year must have elapsed between the application deadline for the announced position and the date the Panel submits its report to the court about the present position.

The Clerk shall send a copy of this Order to the Director of the Administrative Office of the Courts and to the Circuit Executive of the Fourth Circuit.

SO ORDERED, this the 17th day of April, 2025.

FOR THE COURT:



Catherine C. Eagles, Chief Judge

Appendix I

Excerpt from the *Guide to Judiciary Policy*, Vol. 3, Ch. 4, § 420.30.20

- (d) Restriction on Merit Selection Panel Members
- (1) In order for a former merit selection panel member to be considered for a magistrate judge position, one year must have elapsed between the application deadline for the position and the earlier of:
 - (A) The date when the panel on which the former member served submitted its report to the court, or
 - (B) The date when the former member resigned from the panel.
 - (2) This restriction applies to a former member of a merit selection panel for the appointment or reappointment of a U.S. magistrate judge.
 - (3) The Judicial Conference Committee on the Administration of the Magistrate Judges System (Magistrate Judges Committee) is authorized to grant waivers to this provision on an individual case basis.
 - (A) Requests for waivers should be submitted to the Magistrate Judges Committee by the chair of the merit selection panel that is recommending candidates for the magistrate judge position for which the former panel member seeks to apply.
 - (B) In its evaluation of a request for a waiver, the Magistrate Judges Committee may consider any factor it deems relevant, including, but not limited to:
 - (i) the foreseeability of a subsequent magistrate judge position at the time of the former merit selection panel member's service on the panel;
 - (ii) the size of the applicant pool for the subsequent position;
 - (iii) whether the panel member served on a standing panel;
 - (iv) whether a waiver would advance the goal of achieving diversity in the applicant pool; and
 - (v) any geographical concerns.