

IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA
 SOUTHERN DIVISION
 No. 7:23-cv-01368-BO-RJ

**GARY MCELHINEY, SR. and
 SIMMONE MCELHINEY**

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

)
)
)
)
)
)
)
)
)
)
)
)

PLAINTIFFS’ LEADERSHIP GROUP’S MOTION FOR EXPEDITED TRIAL

Pursuant to Federal Rules of Civil Procedure 1 and 16, Local Rule 40.1(d), and 28 U.S.C. § 1657(a), undersigned counsel for the Plaintiff Gary McElhiney (“Plaintiff”), moves the Court to expedite Mr. McElhiney’s trial because he has progressing Parkinson’s disease that impacts his ability to communicate. Plaintiff respectfully requests the Court schedule Mr. McElhiney’s trial within 120 days of this motion. Plaintiff is ready and able to present his case.

In support of this Motion, Plaintiff submits and relies upon its accompanying Memorandum in Support, and exhibits attached thereto.

Dated: May 1, 2024

/s/ J. Edward Bell, III

J. Edward Bell, III (admitted pro hac vice)
Bell Legal Group, LLC
219 Ridge St.
Georgetown, SC 29440
Telephone: (843) 546-2408
jeb@belllegalgroup.com

Counsel for Plaintiffs

/s/ A. Charles Ellis

A. Charles Ellis (N.C. Bar No.: 010865)
Ward and Smith P.A.
Post Office Box 8088
Greenville, NC 27835-8088
Telephone: (252) 215-4000
ace@wardandsmith.com

Counsel for Plaintiffs

/s/ Mike Saltaformaggio

Mike Saltaformaggio (NC Bar No. 60106)
‘MAGGIO LAW
1227 East Fortification
St. Jackson, Mississippi 39202
Telephone: (601) 300-3333
Facsimile: (769) 257-7770
mike@mtlawms.com

Counsel for Plaintiffs

/s/ W. Michael Dowling

W. Michael Dowling (NC Bar No. 42790)
The Dowling Firm PLLC
Post Office Box 27843
Raleigh, North Carolina 27611
Telephone: (919) 529-3351
mike@dowlingfirm.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, J. Edward Bell, III, hereby certify that the foregoing document was electronically filed on the Court's CM/ECF system on this date, and that all counsel of record will be served with notice of the said filing via the CM/ECF system.

This the 1st day of May, 2024.

/s/ J. Edward Bell, III _____

J. Edward Bell, III