

# North Carolina Court of Appeals

## Docket Sheet

**Fragale v. NorthStone Homeowners Ass'n of Mecklenburg, Inc.**

**Case Number:** P14-419

**As of:** 04/24/2024

**Case Closed:** Yes

**Close Date:**

**Case Type:** Civil (Civil\_othr)

**Mediation:** No

SAMUEL TONY FRAGALE, II, AND  
GAY STEVENS-FRAGALE,

PLAINTIFFS-APPELLEES,

V.

MAX H. HUTCHINSON, II A/K/A MAX  
H. HUTCHINSON, II, AMIE  
HUTCHINSON, AND NORTHSTONE  
HOMEOWNERS ASSOCIATION OF  
MECKLENBURG, INC.,

DEFENDENTS-APPELLEES.

NORTHSTONE HOMEOWNERS  
ASSOCIATION OF MECKLENBURG,  
INC.,

THIRD-PARTY PLAINTIFF-APPELLEE,

VS.

MAX H. HUTCHINSON, II A/K/A MAX  
H. HUTCHISON, II, AND AMY  
HUTCHINSON, A/K/A AMY  
HUTCHISON,

THIRD-PARTY DEFENDANTS-APPELLANTS.

**Docket Date:**

**File Date:**

**File Time:**

**Acquired Date:** 06-09-2014

**Bond Collected:** No

**Docket Fee:** No

**Pauper:** No

**Print Deposit:** No

**State Appeals:** No

**History**

**Venue:** Mecklenburg (26)

**Heard In:** Superior Court

**To SC:**

**From SC:**

**Lower Court Number(s)**

**Location:** Mecklenburg (26)

**Judge:**

**Case #:** 11-CVS-21971

**Tracking/Argue**

**Opinion**

**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) PWS	06-09-2014	06-09-2014		06-24-2014	06-19-2014		Special Order	06-26-2014
(2) M-TEMP-STAY	06-10-2014	06-09-2014					Special Order	06-10-2014

1 - PWS (Special Order) - 06-26-2014  
 Filed: 06-09-2014 @ 19:51:14  
 FOR: Appellant Max Hutchison and Amy Hutchison  
 BY : Mr. Preston O. Odom, III  
 JAMES MCELROY & DIEHL, PA

The following order was entered:

The petition and motion filed in this cause by third-party defendant-appellants on 9 June 2014 and designated 'Third-Party Defendants' Notice of Special Appearance, Petition for Writ of Supersedeas, and Motion for Temporary Stay' are decided as follows: The petition for writ of supersedeas is denied, and the order entered 10 June 2014 allowing the temporary stay is hereby dissolved.

By order of the Court this the 26th of June 2014.

The above order is therefore certified to the Clerk of the Superior Court, Mecklenburg County.

RESPONSE TO PWS  
 Filed: 06-19-2014  
 BY : Ms. Heather Harris Piercy  
 KNOX, BROTHERTON, KNOX & GODFREY

2 - M-TEMP-STAY (Special Order) - 06-10-2014  
 Filed: 06-10-2014 @ 08:04:35  
 FOR: Appellant Max Hutchison and Amy Hutchison  
 BY : Mr. Preston O. Odom, III  
 JAMES MCELROY & DIEHL, PA

The following order was entered:

The petition and motion filed in this cause by third-party defendant-appellants on 9 June 2014 and designated 'Third-Party Defendants' Notice of Special Appearance, Petition for Writ of Supersedeas, and Motion for Temporary Stay' are decided as follows: The motion for temporary stay is allowed. The order entered on 12 May 2014 by Judge H. William Constangy is hereby stayed pending this Court's ruling on the petition for writ of supersedeas. The Court will rule on the petition upon the filing of a response to the petition or the expiration of the time for a response if no response is filed.

By order of the Court this the 10th of June 2014.

**Financial Information****Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
06-12-2014	Pre Docket Fees	10.00	10.00			R062009714	06-12-2014

**Exhibits****Parties**

Party Name	Role
Fragale II, Samuel Tony	Plaintiff-Appellee
Fragale, Gay Stevens	Plaintiff-Appellee
Hutchinson, Max H.	Defendant-Appellant
Hutchinson, Amie	Defendant-Appellant
Northstone Homeowners Association of Mecklenburg, Inc.	Defendant-Appellant

### Attorneys

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