

North Carolina Court of Appeals

Docket Sheet

NCCU v Smith

Case Number: P15-816

As of: 04/18/2024

Case Closed: Yes

Close Date:

Case Type: Civil (Civil_other)

Mediation: No

NORTH CAROLINA CENTRAL
UNIVERSITY AND BOARD OF
GOVERNORS OF THE UNIVERSITY
OF NORTH CAROLINA,
PETITIONERS,

V.

FRANCIS MARION SMITH,
RESPONDENT.

Docket Date:		File Date:		File Time:		Acquired Date:	10-23-2015
Bond Collected:	No	Docket Fee:	No	Pauper:	No	Print Deposit:	No
						State Appeals:	No

History

Venue: N.C. Industrial Commission (204) **Heard In:** N.C. Industrial Commission

To SC: **From SC:**

Lower Court Number(s)

Location: N.C. Industrial Commission (204)

Judge:

Case #: TA-24455

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
----------	------------	-----------------	-------------	-----------	-------------	------------	--------	-------------

(1) M-TEMP-STAY	10-23-2015	10-23-2015					Special Order	10-26-2015
(2) PWS-TMPSTA	10-23-2015	10-23-2015		11-09-2015	see below		Denied	11-05-2015
(3) M-GEN	11-02-2015	11-01-2015		11-13-2015	see below		Dismissed	11-16-2015
(4) M-GEN	01-19-2016	01-15-2016					Dismissed	01-20-2016

1 - M-TEMP-STAY (Special Order) - 10-26-2015
Filed: 10-23-2015 @ 13:01:50
FOR: Petitioner-Appellant NCCU
BY : Ms. Christina S. Hayes
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The petition and motion filed in this cause by defendants on 23 October 2015 and designated 'Petition for Writ of Supersedeas and Motion for Temporary Stay' are decided as follows: The motion for temporary stay is denied. A ruling on the petition for writ of supersedeas will be made 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 26th of October 2015.

2 - PWS-TMPSTA (Denied) - 11-05-2015
Filed: 10-23-2015 @ 13:02:07
FOR: Petitioner-Appellant NCCU
BY : Ms. Christina S. Hayes
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The petition filed in this cause on the 23rd of October 2015 and designated 'Petition for Writ of Supersedeas' is denied.

By order of the Court this the 5th of November 2015.

RESPONSE TO PWS-TMPSTA
Filed: 11-01-2015
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO PWS-TMPSTA
Filed: 11-01-2015
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

3 - MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL (Dismissed) - 11-16-2015
Filed: 11-02-2015 @ 09:02:31
FOR: Respondent-Appellee Smith, Francis Marion
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

The following order was entered:

The 'Motion to Immediately Dismiss Notice of Appeal' and motion for other sanctions filed in this cause on the 2nd of November 2015 are dismissed without prejudice to their refiling after the record on appeal has been filed with this Court. See N.C.R. App. P. 25(a).

By order of the Court this the 16th of November 2015.

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL
Filed: 11-02-2015
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL
Filed: 11-02-2015
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL
Filed: 11-02-2015
BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-02-2015

BY : Mr. Nicholas J. Sanservino, Jr.
THE NOBLE LAW FIRM, PLLC

RESPONSE TO MOTION OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS AND MOTION TO IMMEDIATELY DISMISS NOTICE OF APPEAL

Filed: 11-12-2015

BY : Ms. Christina S. Hayes
N.C. DEPARTMENT OF JUSTICE

4 - MOTION MOTION TO WITHDRAW APPEAL (Dismissed) - 01-20-2016

Filed: 01-19-2016 @ 09:10:43

FOR: Petitioner-Appellant NCCU

BY : Ms. Christina S. Hayes
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 19th of January 2016 and designated 'Motion to Withdraw Appeal' is decided as follows: The motion is dismissed without prejudice to file a notice of voluntary dismissal with the trial court. See N.C.R. App. P. 37(e)(1).

By order of the Court this the 20th of January 2016.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
10-23-2015	Pre Docket Fees	20.00	20.00			R022018917	02-20-2017
02-10-2017	Pre Docket Fees	10.00	10.00			R022018817	02-20-2017
02-10-2017	Pre Docket Fees	10.00	0.00				

Exhibits

Parties

Party Name	Role
Smith, Francis Marion	Respondent-Appellee
NCCU	Petitioner-Appellant

Attorneys

Attorney for Petitioner-Appellant - NCCU

Ms. Christina S. Hayes [Primary Attorney]
 Special Deputy Attorney General
 chayes@ncdoj.gov
 N.C. DEPARTMENT OF JUSTICE
 P.O. Box 629
 Raleigh, NC 27602
 (919) 716-6920

Attorney for Respondent-Appellee - Smith, Francis Marion

Mr. Nicholas J. Sanservino, Jr. [Primary Attorney]
 Attorney at Law
 nick@thenoblelaw.com
 THE NOBLE LAW FIRM, PLLC
 141 Providence Road
 Suite 210
 Chapel Hill, NC 27514
 (919) 251-6008

Attorney for Respondent-Appellee - Smith, Francis Marion

Ms. Laura L. Noble [Primary Attorney]
 Attorney at Law
 lnoble@thenoblelaw.com
 141 Providence Road, Suite 210
 Chapel Hill, NC 27514
 (919) 251-6008

Attorney for Respondent-Appellee - Smith, Francis Marion

Mr. Donald C. Davis [Primary Attorney]
 ddavis@thebnoelaw.com
 308 W. Rosemary Street Suite 303
 Chapel Hill, NC 27516