

North Carolina Court of Appeals

Docket Sheet

Short vs. Kropelnicki Jr,

Case Number: P16-136

As of: 04/24/2024

Case Closed: Yes

Close Date:

Case Type: Civil (Civil_othr)

Mediation: No

IN THE MATTER OF TODD W. SHORT,
PETITIONER,

AND

TODD W. SHORT,
PLAINTIFF,

V.

STEVEN KROPELNICKI, JR., AND
CYNTHIA L. ALLEMAN,
DEFENDANTS.

Docket Date:		File Date:		File Time:		Acquired Date:	02-18-2016
Bond Collected:	No	Docket Fee:	No	Pauper:	Yes	Print Deposit:	No
						State Appeals:	No

History

Venue: Buncombe (40) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Buncombe (40)

Judge:

Case #: 02SP524 03E119 12CVS2332

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) WR-MAN	02-18-2016	02-18-2016		03-07-2016	02-24-2016		Special Order	03-04-2016
(2) PET-PROHIB	02-19-2016	02-19-2016		03-07-2016	02-24-2016			
(3) M-GEN	02-22-2016	02-22-2016		03-07-2016			Denied	03-08-2016
(4) M-GEN	02-22-2016	02-22-2016		03-07-2016			Allowed	03-08-2016
(5) M-GEN	02-29-2016	02-29-2016		03-14-2016			Dismissed	03-15-2016
(6) M-GEN	03-04-2016	03-04-2016					Special Order	03-08-2016

(7) WR-MAN	03-22-2016	03-22-2016		04-07-2016	04-01-2016			
(8) M-GEN	03-24-2016	03-24-2016					Allowed	03-24-2016
(9) M-GEN	04-04-2016	04-04-2016					Special Order	04-05-2016

1 - WR-MAN (Special Order) - 03-04-2016

Filed: 02-18-2016 @ 17:02:16

FOR: Defendant-Appellant

BY : Mr. Todd Short

The following order was entered:

The petition filed in this cause by plaintiff-petitioner Todd W. Short on 18 February 2016 and designated 'Todd W. Short's Petition for Writ of Mandamus and Prohibition' is decided as follows: It appearing that petitioner-plaintiff has not yet attempted to file his notice of appeal from the gatekeeper order entered 11 February 2016 by Judge Alan Z. Thornburg pursuant to the terms of that order, the petition is dismissed without prejudice to petitioner-plaintiff's right to submit his notice of appeal for filing to Judge Thornburg or to an attorney who could certify the order for filing.

By order of the Court this the 4th of March 2016.

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

RESPONSE TO WR-MAN

Filed: 02-24-2016

BY : Mr. Steven Kropelnicki, Jr.

2 - PET-PROHIB

Filed: 02-19-2016 @ 09:05:45

FOR: Defendant-Appellant

BY : Mr. Todd Short

RESPONSE TO PET-PROHIB

Filed: 02-24-2016

BY : Mr. Steven Kropelnicki, Jr.

3 - MOTION MOTION FOR ADA ACCOMMODATIONS (Denied) - 03-08-2016

Filed: 02-22-2016 @ 09:35:26

FOR: Defendant-Appellant

BY : Mr. Todd Short

The following order was entered:

The motion filed in this cause on the 22nd of February 2016 and designated 'Motion for ADA Accommodations' is denied.

By order of the Court this the 8th of March 2016.

4 - MOTION MOTION FOR LEAVE TO AMEND CERTIFICATES OF SERVICE (Allowed) - 03-08-2016

Filed: 02-22-2016 @ 11:26:59

FOR: Defendant-Appellant

BY : Mr. Todd Short

The following order was entered:

The motion filed in this cause on the 22nd of February 2016 and designated 'Motion for Leave to Amend Certificates of Service' is allowed. Plaintiff-petitioner's petitions for writ of mandamus and prohibition shall reflect a certificate of service date of 22 February 2016.

By order of the Court this the 8th of March 2016.

5 - MOTION MOTION FOR LEAVE TO FILE SUPPLEMENTAL STATEMENT TO PETITION FOR WRIT OF MANDAMUS AND PROHIBITION (Dismissed) - 03-15-2016
 Filed: 02-29-2016 @ 08:56:53
 FOR: Defendant-Appellant
 BY : Mr. Todd Short

The following order was entered:

The motion filed in this cause on the 29th of February 2016 and designated 'Motion for Leave to File Supplemental Statement to Petition for Writ of Mandamus and Prohibition' is dismissed as moot.

By order of the Court this the 15th of March 2016.

6 - MOTION MOTION FOR RECONSIDERATION (Special Order) - 03-08-2016
 Filed: 03-04-2016 @ 13:17:27
 FOR: Defendant-Appellant
 BY : Mr. Todd Short

The following order was entered:

The motion filed in this cause by plaintiff-petitioner Todd W. Short on 4 March 2016 and designated 'Motion for Reconsideration' is allowed for the purpose of reconsidering this Court's order on plaintiff-petitioner's petition for writ of mandamus and writ of prohibition. The petition is allowed as follows: Plaintiff-petitioner has a right under the terms of the gatekeeper order entered 11 February 2016 by Judge Alan Z. Thornburg to submit an ex parte request to Judge Thornburg to have documents filed with the Buncombe County Clerk of Court. Plaintiff-petitioner shall directly notify Judge Thornburg in writing of his request to file notice of appeal from the gatekeeper order and request permission to do so. Plaintiff-petitioner's request shall include a copy of the proposed notice of appeal and any other documents he proposes to file that relate to his appeal. The petition is otherwise denied.

By order of the Court this the 8th of March 2016.

7 - WR-MAN
 Filed: 03-22-2016 @ 15:48:15
 FOR: Defendant-Appellant
 BY : Mr. Todd Short

RESPONSE TO WR-MAN
 Filed: 04-01-2016
 BY : Mr. Steven Kropelnicki, Jr.

8 - MOTION MOTION TO CORRECTION TO CERTIFICATE OF SERVICE (Allowed) - 03-24-2016
 Filed: 03-24-2016 @ 08:03:38
 FOR: Defendant-Appellant
 BY : Mr. Todd Short

The following order was entered:

The motion filed in this cause on the 24th of March 2016 and designated 'Motion to Correction to Certificate of Service' is allowed.

By order of the Court this the 24th of March 2016.

9 - MOTION MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS AND PROHIBITION WITHOUT PREJUDICE (Special Order) - 04-05-2016
 Filed: 04-04-2016 @ 07:16:46
 FOR: Defendant-Appellant
 BY : Mr. Todd Short

The following order was entered:

The 'Petition for Writ of Mandamus and Prohibition' and 'Motion to Dismiss Petition for Writ of Mandamus and Prohibition Without Prejudice' filed in this cause by petitioner on 22 March 2016 and 4 April 2016 are decided as follows: The motion to dismiss is allowed and the petition for writ of mandamus and prohibition is dismissed as moot.

By order of the Court this the 5th of April 2016.

R e c e i p t s

Date Charged	Charge Type	Amount Chaged	Amount Paid	Document	Pages	Receipt #	Date Paid
--------------	-------------	---------------	-------------	----------	-------	-----------	-----------

E x h i b i t s**P a r t i e s**

Party Name	Role
Short, Todd W.	Petitioner-Appellant
Kropelnicki, Steven (Jr.)	Defendant-Appellee
Alleman, Cynthia L.	Defendant-Appellee

A t t o r n e y s**Attorney for Defendant-Appellant -**

Mr. Todd Short [Primary Attorney]

Pro Se

shorttodd@outlook.com

109 Heartwood Ln.
 Spindale, NC 28160
 (828) 220-7770

Attorney for Defendant-Appellant -

Alan Z. Thornburg [Primary Attorney]

Senior Resident Superior Court Judge

60 Court Plaza
 Asheville, NC 28801

Attorney for Defendant-Appellant -

Mr. Steven Kropelnicki, Jr. [Primary Attorney]

Attorney at Law

skrop@cartkrop.com

17 North Market Street
 Suite 202
 Asheville, NC 28801
 (828) 252-9804

Attorney for Defendant-Appellant -

Ms. Cynthia Alleman [Primary Attorney]

Attorney at Law
P.O. Box 276
Asheville, NC 28802
