

**SUPREME COURT OF NORTH CAROLINA****Docket Sheet****Singleton, et al. v N.C. Department of Health & Human Services, et al.**

**Case Number:** 260PA22  
**As of:** 07/27/2024  
**Case Closed:** No      **Close Date:**      **Case Type:** Civil (Civil\_othr)

JAY SINGLETON, D.O., and SINGLETON VISION CENTER, P.A.

v

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES; ROY COOPER, Governor of the State of North Carolina, in his official capacity; MANDY COHEN, North Carolina Secretary of Health and Human Services, in her official capacity; PHIL BERGER, President Pro Tempore of the North Carolina Senate, in his official capacity; and TIM MOORE, Speaker of the North Carolina House of Representatives, in his official capacity

**Docket Date:** 08-15-2022      **Acquired Date:** 08-15-2022  
**Bond Collected:** Yes      **Pauper:** No      **Rule 16b:** No

**History**

**Venue:** Wake (10)      **Previous Venue:** N.C. Court of Appeals (200)

**Lower Court Number(s)**

**Location:** N.C. Court of Appeals (200)  
**Judge:** John M. Tyson  
**Case #:** 21-558

**Location:** Wake (10)  
**Judge:** Michael J. O'Foghluudha  
**Case #:** 20CVS5150

**Tracking/Argue**

**Argue Date:** 04-17-2024 #

**Opinion****Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) NA-CQ-MD	08-15-2022					10-07-2022	Dismissed	08-30-2023
(2) PDR	08-15-2022				08-29-2022		Allowed	08-30-2023
(3) M-AMICUS	08-15-2022						Dismissed as moot	08-30-2023
(4) M-AMICUS	08-15-2022						Dismissed as moot	08-30-2023
(5) M-AMICUS	08-15-2022						Dismissed as moot	08-30-2023
(6) M-DSSAPP	08-29-2022				10-12-2022		Allowed	08-30-2023

(7) M-EXT-RS	08-30-2022						Allowed	08-30-2022
(8) M-P-HAC-V	09-09-2022						Allowed	08-30-2023
(9) M-GEN	11-14-2022						Allowed	12-21-2022
(10) M-GEN	11-21-2022						Allowed	12-21-2022
(11) NOTICE OF APPEARANCE	11-21-2022							
(12) NOTICE OF APPEARANCE	11-21-2022							
(13) M-GEN	04-03-2023						Allowed	08-30-2023
(14) M-EXT-BR	09-07-2023						Allowed	09-07-2023
(15) M-AMICUS	11-01-2023						Allowed	11-01-2023
(16) AMICUS	11-01-2023					11-01-2023		
(17) APPELLANT BRIEF	11-01-2023					11-02-2023		
(18) M-AMICUS	11-01-2023						Allowed	11-01-2023
(19) AMICUS	11-01-2023					11-02-2023		
(20) M-AMICUS	11-01-2023						Allowed	11-02-2023
(21) AMICUS	11-01-2023					11-03-2023		
(22) M-EXT-BR	11-06-2023						Allowed	11-06-2023
(23) M-AMICUS	11-08-2023						Allowed	11-08-2023
(24) AMICUS	11-08-2023					11-09-2023		
(25) APPELLEE BRIEF	01-08-2024					01-09-2024		
(26) M-EXT-BR	01-09-2024						Allowed	01-09-2024
(27) M-AMICUS	01-12-2024						Allowed	01-16-2024
(28) M-AMICUS	01-12-2024						Allowed	01-16-2024
(29) AMICUS	01-12-2024					01-16-2024		
(30) AMICUS	01-12-2024					01-16-2024		
(31) REPLY	02-05-2024					02-05-2024		
(32) M-GEN	03-18-2024						Allowed	03-18-2024
(33) COURT ORDER	06-28-2024						Special Order	06-26-2024
(34) M-EXT-BR	07-01-2024						Allowed	07-02-2024

1 - NA-CQ-MD (Dismissed) - 08-30-2023  
 Filed: 08-15-2022 @ 16:32:55  
 FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
 BY : Mr. Joshua A. Windham  
 INSTITUTE FOR JUSTICE

2 - PDR (Allowed) - 08-30-2023  
 Filed: 08-15-2022 @ 15:42:15  
 FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
 BY : Mr. Joshua A. Windham  
 INSTITUTE FOR JUSTICE

RESPONSE TO PDR  
 Filed: 08-29-2022  
 BY : Mr. Nicholas S. Brod  
 N. C. DEPARTMENT OF JUSTICE

3 - M-AMICUS (Dismissed as moot) - 08-30-2023  
 Filed: 08-15-2022 @ 16:14:57  
 FOR: Amicus Singleton, Jay (D.O.), et al  
 BY : Mr. R. Daniel Gibson  
 STAM LAW FIRM PLLC

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4 - M-AMICUS (Dismissed as moot) - 08-30-2023  
Filed: 08-15-2022 @ 16:28:02  
FOR: Amicus Folwell, Dale R. (Treasurer)  
BY : Mr. James Benjamin Garner

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5 - M-AMICUS (Dismissed as moot) - 08-30-2023  
Filed: 08-15-2022 @ 22:57:23  
FOR: Amicus Certificate of Need Scholars  
BY : Mr. B. Tyler Brooks  
LAW OFFICE OF B. TYLER BROOKS, PLLC

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6 - M-DSSAPP (Allowed) - 08-30-2023  
Filed: 08-29-2022 @ 16:08:19  
FOR: Defendant-Appellee North Carolina Department of Health and Human Services, et al  
BY : Mr. Nicholas S. Brod  
N. C. DEPARTMENT OF JUSTICE

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RESPONSE TO M-DSSAPP  
Filed: 10-12-2022  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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7 - M-EXT-RS (Allowed) - 08-30-2022  
Filed: 08-30-2022 @ 11:20:28  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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8 - M-P-HAC-V (Allowed) - 08-30-2023  
Filed: 09-09-2022 @ 14:23:05  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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9 - Plaintiffs' Motion to Withdraw Benton Sawrey as Counsel (Allowed) - 12-21-2022  
Filed: 11-14-2022 @ 14:44:31  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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10 - Amicus' Motion to Withdraw R. Daniel Gibson as Counsel (Allowed) - 12-21-2022  
Filed: 11-21-2022 @ 15:59:20  
FOR: Amicus Singleton, Jay (D.O.), et al  
BY : Mr. R. Daniel Gibson

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11 - NOTICE OF APPEARANCE  
Filed: 11-21-2022 @ 16:11:58  
FOR: Amicus Singleton, Jay (D.O.), et al  
BY : Mr. R. Daniel Gibson  
STAM LAW FIRM PLLC

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12 - NOTICE OF APPEARANCE  
Filed: 11-21-2022 @ 17:26:38  
FOR: Amicus John Locke Foundation, et al.  
BY : Mr. Jonathan D. Guze  
JOHN LOCKE FOUNDATION

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13 - Plaintiffs' Motion to Amend Notice of Appeal or, in the Alternative, Petition for Discretionary Review (Allowed) - 08-30-2023  
Filed: 04-03-2023 @ 17:14:19  
FOR: Amicus Singleton, Jay (D.O.), et al  
BY : Mr. R. Daniel Gibson  
STAM LAW FIRM PLLC

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14 - M-EXT-BR (Allowed) - 09-07-2023  
Filed: 09-07-2023 @ 09:43:49  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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15 - M-AMICUS (Allowed) - 11-01-2023  
Filed: 11-01-2023 @ 11:01:16  
FOR: Amicus Goldwater Institute  
BY : Mr. Elliot Matthew Engstrom  
SELLERS, AYERS, DORTCH & LYONS, P.A.

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16 - OTHER BRIEF AMICUS  
Filed: 11-01-2023 @ 11:04:49  
FOR: Amicus Goldwater Institute  
BY : Mr. Elliot Matthew Engstrom  
SELLERS, AYERS, DORTCH & LYONS, P.A.

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17 - APPELLANT BRIEF  
Filed: 11-01-2023 @ 14:20:33  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

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18 - M-AMICUS (Allowed) - 11-01-2023  
Filed: 11-01-2023 @ 15:13:11  
FOR: Amicus John Locke Foundation, et al.  
BY : Mr. Jonathan D. Guze  
JOHN LOCKE FOUNDATION

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19 - OTHER BRIEF AMICUS  
Filed: 11-01-2023 @ 15:14:19  
FOR: Amicus John Locke Foundation, et al.  
BY : Mr. Jonathan D. Guze  
JOHN LOCKE FOUNDATION

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20 - M-AMICUS (Allowed) - 11-02-2023  
Filed: 11-01-2023 @ 23:12:46  
FOR: Amicus Certificate of Need Scholars  
BY : Mr. B. Tyler Brooks  
LAW OFFICE OF B. TYLER BROOKS, PLLC

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21 - OTHER BRIEF AMICUS  
Filed: 11-01-2023 @ 23:18:00  
FOR: Amicus Certificate of Need Scholars  
BY : Mr. B. Tyler Brooks  
LAW OFFICE OF B. TYLER BROOKS, PLLC

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22 - M-EXT-BR (Allowed) - 11-06-2023  
Filed: 11-06-2023 @ 11:10:48  
FOR: Defendant-Appellee North Carolina Department of Health and Human Services, et al  
BY : Mr. Nicholas S. Brod  
N. C. DEPARTMENT OF JUSTICE

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23 - M-AMICUS (Allowed) - 11-08-2023  
Filed: 11-08-2023 @ 14:20:22  
FOR: Amicus John Locke Foundation, et al.  
BY : Mr. Jonathan D. Guze  
JOHN LOCKE FOUNDATION

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24 - OTHER BRIEF AMICUS  
Filed: 11-08-2023 @ 14:22:27  
FOR: Amicus John Locke Foundation, et al.  
BY : Mr. Jonathan D. Guze  
JOHN LOCKE FOUNDATION

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25 - APPELLEE BRIEF  
Filed: 01-08-2024 @ 21:00:18  
FOR: Defendant-Appellee North Carolina Department of Health and Human Services, et al  
BY : Mr. Nicholas S. Brod  
N. C. DEPARTMENT OF JUSTICE

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26 - M-EXT-BR (Allowed) - 01-09-2024  
Filed: 01-09-2024 @ 11:50:54  
FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
BY : Mr. Joshua A. Windham  
INSTITUTE FOR JUSTICE

27 - M-AMICUS (Allowed) - 01-16-2024  
 Filed: 01-12-2024 @ 15:44:52  
 FOR: Amicus NCHA, Inc.  
 BY : Mr. Kenneth L. Burgess  
 BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC

28 - M-AMICUS (Allowed) - 01-16-2024  
 Filed: 01-12-2024 @ 16:34:35  
 FOR: Amicus Healthcare Providers  
 BY : Mr. Marcus C. Hewitt  
 FOX ROTHSCHILD LLP

29 - OTHER BRIEF AMICUS  
 Filed: 01-12-2024 @ 15:44:52  
 FOR: Amicus NCHA, Inc.  
 BY : Mr. Kenneth L. Burgess  
 BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC

30 - OTHER BRIEF AMICUS  
 Filed: 01-12-2024 @ 16:34:35  
 FOR: Amicus Healthcare Providers  
 BY : Mr. Marcus C. Hewitt  
 FOX ROTHSCHILD LLP

31 - APPELLANT BRIEF REPLY  
 Filed: 02-05-2024 @ 11:24:46  
 FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
 BY : Mr. Joshua A. Windham  
 INSTITUTE FOR JUSTICE

32 - Troy D. Shelton's Motion to Withdraw as Counsel (Allowed) - 03-18-2024  
 Filed: 03-18-2024 @ 12:17:31  
 FOR: Amicus Healthcare Providers  
 BY : Mr. Troy D. Shelton  
 FOX ROTHSCHILD LLP

33 - CT\_ORDER COURT ORDER (Special Order) - 06-26-2024  
 Filed: 06-28-2024 @ 14:56:07  
 FOR:  
 BY : N.C. Supreme Court Clerk

34 - M-EXT-BR (Allowed) - 07-02-2024  
 Filed: 07-01-2024 @ 16:09:46  
 FOR: Plaintiff-Appellant Singleton, Jay (D.O.), et al  
 BY : Mr. Joshua A. Windham  
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### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
01-16-2024	Printing	1184.75	1184.75	OTHER BRIEF	677	R011007024	01-29-2024
01-16-2024	Printing	63.00	63.00	OTHER BRIEF	36	R011006024	01-22-2024
11-03-2023	Printing	61.25	61.25	OTHER BRIEF	35	R111000823	11-09-2023
01-09-2024	Printing	231.00	231.00	APPELLEE BRIEF	132	R031001224	03-11-2024
10-20-2022	Docket Fee	10.00	10.00			R101005722	10-24-2022
10-20-2022	Docket Fee	10.00	10.00			R111001322	11-07-2022
10-07-2022	Printing	246.75	246.75	NOTICE	141	R101004622	10-20-2022
09-20-2023	Printing	253.75	253.75	PETITION	145	R091006323	09-27-2023
09-20-2023	Bond	250.00	250.00			R091005223	09-20-2023
11-02-2023	Printing	192.50	192.50	APPELLANT BRIEF	110	R111004723	11-13-2023
02-05-2024	Printing	105.00	105.00	APPELLANT BRIEF	60	R021004124	02-14-2024

11-02-2023	Printing	54.25	54.25	OTHER BRIEF	31	R121003023	12-12-2023
11-09-2023	Printing	57.75	57.75	OTHER BRIEF	33	R121005023	12-20-2023
11-01-2023	Printing	49.00	49.00	OTHER BRIEF	28	R111005123	11-14-2023

**Parties**

Party Name	Role
Singleton, Jay (D.O.)	Plaintiff-Appellant
Singleton Vision Center, P.A.	Plaintiff-Appellant
Department of Health and Human Services	Defendant-Appellee
Cooper, Roy (Governor)	Defendant-Appellee
Cohen, Mandy (Secretary)	Defendant-Appellee
Berger, Phil (President Pro Tempore)	Defendant-Appellee
Moore, Tim (Speaker)	Defendant-Appellee
Philpot, Anne	Other-Appellee
University Health Systems of Eastern Carolina, Inc.	Other-Appellee
Singleton, Jay (D.O.), et al	Plaintiff-Appellant
North Carolina Department of Health and Human Services, et al	Defendant-Appellee

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