

# North Carolina Court of Appeals

## Docket Sheet

### Curtis v NC Dept. of Transportation

**Case Number:** 96-483

**As of:** 04/30/2024

**Case Closed:** Yes

**Close Date:** 05-05-1997

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

**Mediation:** No

TONY LEE CURTIS,

V

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

**Docket Date:** 05-15-1996

**File Date:** 04-26-1996

**File Time:** 12:03

**Acquired Date:** 04-26-1996

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

**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:** Dennis J. Winner

**Case #:** 95CVS2507

#### Tracking/Argue

**Argue Date:** 01-14-1997 (No oral argument by Rule 30(f))

#### Opinion

**Opinion Date:** 04-15-1997

**Cert Date:** 05-05-1997

**Author:** Honorable John C. Martin

**Decision:** Reversed and remanded

**Opinion Notes:**

**Opinion Pages:** 11

**Opinion Cost:** \$ 2.20

**Cite:** 126 NC App 221

**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=2&pdf=12422>

#### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) SHARED	04-26-1996					05-28-1996		
(2) SHARED	04-26-1996					05-28-1996		
(3) MOTION	06-25-1996	06-25-1996					Allowed	06-26-1996

(4) APPELLANT BRIEF	07-26-1996	07-26-1996				08-05-1996		
(5) INFORM SHT	08-05-1996	08-05-1996						
(6) MOTION	08-23-1996	08-21-1996					Allowed	08-26-1996
(7) APPELLEE BRIEF	09-23-1996	09-19-1996				10-04-1996		
(8) REPLY	10-02-1996	10-02-1996				10-22-1996		

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1 - RECORD SHARED

Filed: 04-26-1996 @ 12:03:00

FOR: Petitioner Curtis

BY : Mr. Albert L. Sneed, Jr.

VAN WINKLE, BUCH, WALL, STARNES &amp; DAVIS, PA

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2 - RECORD SHARED

Filed: 04-26-1996 @ 12:03:00

FOR: Respondent NC Dept. of Trans.

BY : Mr. C. Norman Young

N.C. DEPARTMENT OF JUSTICE

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3 - MOTION (Allowed) - 06-26-1996

Filed: 06-25-1996 @ 12:00:00

FOR: Respondent NC Dept. of Trans.

BY : Mr. C. Norman Young

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 25th day of June 1996 and designated Motion For Extension of Time to File Respondent-Appellant's Brief is allowed. Respondent-appellant's brief shall be filed on or before 29 July 1996.

By order of the Court this the 26th day of June 1996.

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4 - APPELLANT BRIEF

Filed: 07-26-1996 @ 08:47:00

FOR: Respondent NC Dept. of Trans.

BY : Mr. C. Norman Young

N.C. DEPARTMENT OF JUSTICE

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5 - AIS INFORM SHT

Filed: 08-05-1996 @ 02:36:00

FOR: Respondent NC Dept. of Trans.

BY : Mr. C. Norman Young

N.C. DEPARTMENT OF JUSTICE

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6 - MOTION (Allowed) - 08-26-1996

Filed: 08-23-1996 @ 12:00:00

FOR: Petitioner Curtis

BY : Mr. Albert L. Sneed, Jr.

VAN WINKLE, BUCH, WALL, STARNES &amp; DAVIS, PA

The following order was entered:

The motion filed in this cause on the 23rd day of August 1996 and designated Motion For Extension of Time to File Brief is allowed. Petitioner-appellee's brief shall be filed on or before 23 September 1996.

By order of the Court this the 26th day of August 1996.

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7 - APPELLEE BRIEF

Filed: 09-23-1996 @ 08:38:00

FOR: Petitioner Curtis

BY : Mr. Albert L. Sneed, Jr.

VAN WINKLE, BUCH, WALL, STARNES &amp; DAVIS, PA

8 - APPELLANT BRIEF REPLY  
 Filed: 10-02-1996 @ 04:02:00  
 FOR: Respondent NC Dept. of Trans.  
 BY : Mr. C. Norman Young  
 N.C. DEPARTMENT OF JUSTICE

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
10-22-1996	Printing	38.50	38.50	APPELLANT BRIEF	22	R102001096A	01-13-1997
05-28-1996	Printing	148.00	148.00	RECORD	74	R052041096A	06-14-1996
08-05-1996	Printing	68.25	68.25	APPELLANT BRIEF	39	R082002796A	09-16-1996
05-28-1996	Printing	148.00	149.00	RECORD	74	R052040996A	05-28-1996
10-04-1996	Printing	47.25	56.00	APPELLEE BRIEF	27	R102001196A	10-04-1996

#### Payments

Payment Date	Payment Type	Amount	Check Number
02-04-1997	Refund	9.75	28379

### Exhibits

### Parties

Party Name	Role
Curtis, Tony Lee	Petitioner-Appellant
NC Department Of Transportation	Respondent-Appellant
NC Dept. of Trans.	
Curtis	

### Attorneys

#### Attorney for Respondent - NC Dept. of Trans.

Mr. C. Norman Young [Primary Attorney]  
 Assistant Attorney General  
 nyoung@ncdoj.gov  
 N.C. DEPARTMENT OF JUSTICE  
 P.O. Box 629  
 Raleigh, NC 27602

#### Attorney for Petitioner - Curtis

Mr. Albert L. Sneed, Jr. [Primary Attorney]

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