

North Carolina Court of Appeals

Docket Sheet

DOT v Bradsher

Case Number: 97-718
As of: 05/01/2024
Case Closed: Yes **Close Date:** 03-03-1998 **Case Type:** Civil (Civil_othr) **Mediation:** No

DEPARTMENT OF TRANSPORTATION,
 Plaintiff,

v

DORIS B. BRADSHER,
 Defendant.

Docket Date: 06-17-1997 **File Date:** 06-16-1997 **File Time:** 03:46 **Acquired Date:** 06-16-1997
Bond Collected: No **Docket Fee:** Yes **Pauper:** No **Print Deposit:** No **State Appeals:** Yes

History

Venue: Wake (10) **Heard In:** Superior Court
To SC: **From SC:**

Lower Court Number(s)

Location: Wake (10)
Judge: Robert L. Farmer
Case #: 95CVS7694 95CVS7694 95CVS7694

Tracking/Argue

Opinion

Opinion Date: 03-03-1998 **Cert Date:** 03-23-1998
Author: Honorable Clarence E. Horton, Jr.
Decision: Affirmed
Opinion Notes:
Opinion Pages: 9 **Opinion Cost:** \$ 1.80
Cite: 128 NC App 750
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=5419>

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	06-16-1997					06-24-1997		
(2) RECORD	06-16-1997					06-24-1997		
(3) RECORD	06-16-1997					06-24-1997		

(4) RECORD	06-16-1997					06-24-1997		
(5) RECORD	06-16-1997					06-24-1997		
(6) RECORD	06-16-1997					06-24-1997		
(7) RECORD	06-16-1997					06-24-1997		
(8) RECORD	06-16-1997					06-24-1997		
(9) RECORD	06-16-1997					06-24-1997		
(10) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(11) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(12) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(13) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(14) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(15) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(16) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(17) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(18) MOTION	07-07-1997	07-07-1997		07-22-1997	07-15-1997		Denied	07-16-1997
(19) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(20) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(21) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(22) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(23) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(24) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(25) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(26) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(27) MOTION	07-18-1997	07-18-1997					Allowed	07-18-1997
(28) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(29) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(30) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(31) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(32) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(33) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(34) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(35) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(36) APPELLANT BRIEF	08-25-1997	08-25-1997				09-05-1997		
(37) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(38) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(39) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(40) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(41) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(42) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(43) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(44) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		
(45) APPELLEE BRIEF	09-29-1997	09-29-1997				10-07-1997		

(46) INFORM SHT	11-06-1997	11-06-1997						
(47) INFORM SHT	11-06-1997	11-06-1997						
(48) INFORM SHT	11-06-1997	11-06-1997						
(49) INFORM SHT	11-06-1997	11-06-1997						
(50) INFORM SHT	11-06-1997	11-06-1997						
(51) INFORM SHT	11-06-1997	11-06-1997						
(52) INFORM SHT	11-06-1997	11-06-1997						
(53) INFORM SHT	11-06-1997	11-06-1997						
(54) INFORM SHT	11-06-1997	11-06-1997						

1 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

2 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

3 - RECORD
 Filed: 06-16-1997 @ 15:46:00
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4 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
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5 - RECORD
 Filed: 06-16-1997 @ 15:46:00
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6 - RECORD
 Filed: 06-16-1997 @ 15:46:00
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7 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

8 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

9 - RECORD
 Filed: 06-16-1997 @ 15:46:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

10 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

11 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

12 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

13 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

14 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

15 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

16 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

17 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

18 - MOTION (Denied) - 07-16-1997
Filed: 07-07-1997 @ 12:00:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

The following order was entered:

The motion filed in this cause on the 7th day of July 1997 and designated Motion to Dismiss Appeal or For Alternative Relief is denied.

By order of the Court this the 16th day of July 1997.

RESPONSE TO MOTION
Filed: 07-15-1997
BY :

19 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

20 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

21 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

22 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

23 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

24 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

25 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

26 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

27 - MOTION (Allowed) - 07-18-1997
Filed: 07-18-1997 @ 12:00:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

The following order was entered:

The motion filed in this cause on the 18th day of July 1997 and designated Motion For Extension of Time in Which to File The Brief for The Plaintiff-Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 25 August 1997.

By order of the Court this the 18th day of July 1997.

28 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

29 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

30 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

31 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

32 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

33 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

34 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

35 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

36 - APPELLANT BRIEF
Filed: 08-25-1997 @ 17:09:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

37 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

38 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

39 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

40 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

41 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

42 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

43 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

44 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

45 - APPELLEE BRIEF
Filed: 09-29-1997 @ 15:09:00
FOR: Defendant-Appellee Doris B. Bradsher
BY : Mr. John B. McMillan
MANNING FULTON & SKINNER, PA

46 - AIS INFORM SHT
Filed: 11-06-1997 @ 16:04:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

47 - AIS INFORM SHT
Filed: 11-06-1997 @ 16:04:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

48 - AIS INFORM SHT
Filed: 11-06-1997 @ 16:04:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

49 - AIS INFORM SHT
Filed: 11-06-1997 @ 16:04:00
FOR: Plaintiff-Appellant DOT
BY : Mr. Archie W. Anders

50 - AIS INFORM SHT
 Filed: 11-06-1997 @ 16:04:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

51 - AIS INFORM SHT
 Filed: 11-06-1997 @ 16:04:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

52 - AIS INFORM SHT
 Filed: 11-06-1997 @ 16:04:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

53 - AIS INFORM SHT
 Filed: 11-06-1997 @ 16:04:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

54 - AIS INFORM SHT
 Filed: 11-06-1997 @ 16:04:00
 FOR: Plaintiff-Appellant DOT
 BY : Mr. Archie W. Anders

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
10-07-1997	Printing	66.50	66.50	APPELLEE BRIEF	38	R092017209	10-07-1997
10-07-1997	Printing	66.50	66.50	APPELLEE BRIEF	38	R092017509	10-07-1997
10-07-1997	Printing	66.50	66.50	APPELLEE BRIEF	38	R092018109	10-07-1997
09-05-1997	Printing	38.50	38.50	APPELLANT BRIEF	22	R092017009	10-22-1997
06-24-1997	Printing	190.75	190.75	RECORD	109	R092017109	07-17-1997
09-05-1997	Printing	38.50	38.50	APPELLANT BRIEF	22	R092017309	10-22-1997
06-24-1997	Printing	190.75	190.75	RECORD	109	R092017409	07-17-1997
09-05-1997	Printing	38.50	38.50	APPELLANT BRIEF	22	R092017909	10-22-1997
06-24-1997	Printing	190.75	190.75	RECORD	109	R092018009	07-17-1997
09-21-2009	Other	5.00	5.00			R092018209	09-21-2009

Exhibits

Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellant
DOT	Plaintiff-Appellant
Doris B. Bradsher	Defendant-Appellee

Department of Transportation	Plaintiff-Appellant
DOT	Plaintiff-Appellant
Doris B. Bradsher	Defendant-Appellee
Department of Transportation	Plaintiff-Appellant
DOT	Plaintiff-Appellant
Doris B. Bradsher	Defendant-Appellee
Bradsher, Doris B.	Defendant-Appellee

Attorneys

Attorney for Plaintiff-Appellant - DOT

Mr. Archie W. Anders [Primary Attorney]
Mr. Archie W. Anders [Primary Attorney]
Mr. Archie W. Anders [Primary Attorney]

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Attorney at Law
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Mr. John B. McMillan [Primary Attorney]
Attorney at Law
Mr. Charles E. Nicholas, Jr.
Mr. John B. McMillan [Primary Attorney]
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