

# North Carolina Court of Appeals

## Docket Sheet

### DOT v Whiteheart

**Case Number:** 97-1584  
**As of:** 05/01/2024  
**Case Closed:** Yes      **Close Date:** 05-24-1999      **Case Type:** Civil (Civil\_othr)      **Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

v

WILLIAM H. WHITEHEART, d/b/a  
WHITEHEART OUTDOOR ADVERTISING  
COMPANY,  
Defendant.

**Docket Date:** 12-31-1997      **File Date:** 12-23-1997      **File Time:** 09:33      **Acquired Date:** 12-23-1997  
**Bond Collected:** No      **Docket Fee:** No      **Pauper:** No      Print Deposit: No      **State Appeals:** Yes

**History**

**Venue:** Forsyth (31)      **Heard In:** Superior Court  
**To SC:**      **From SC:**

**Lower Court Number(s)**

Location: Forsyth (31)  
Judge: William H. Freeman  
Case #: 95CVS4198

**Tracking/Argue**

**Argue Date:** 09-21-1998 (No oral argument by Rule 30(f))

**Opinion**

Opinion Date: 05-04-1999      Cert Date: 05-24-1999  
Author: Honorable Robert C. Hunter  
Decision: Affirmed  
Opinion Notes:  
Opinion Pages: 5      Opinion Cost: \$ 1.00  
Cite: 133 NC App 189  
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=14801>

**Documents**

Document	Date Recvd	Cert of Service	Rec/Brt Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	12-23-1997					01-12-1998		

(2) MOTION	02-02-1998	02-02-1998					Allowed	03-02-1998
(3) MOTION	03-12-1998	03-12-1998					Allowed	03-12-1998
(4) APPELLANT BRIEF	03-20-1998	03-18-1998				03-26-1998		
(5) INFORM SHT	03-20-1998	03-18-1998						
(6) MOTION	04-15-1998	04-15-1998					Allowed	04-16-1998
(7) APPELLEE BRIEF	05-22-1998	05-20-1998				06-04-1998		

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1 - RECORD

Filed: 12-23-1997 @ 09:33:00  
FOR: Plaintiff-Appellant DOT  
BY : Ms. Lisa C. Bland

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2 - MOTION (Allowed) - 03-02-1998

Filed: 02-02-1998 @ 12:00:00  
FOR: Plaintiff-Appellant DOT  
BY : Ms. Lisa C. Bland

The following order was entered:

The motion filed in this cause on the 2nd day of February 1998 and designated Motion To Extend Time to File Brief For The Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 13 March 1998.

By order of the Court this the 2nd day of March 1998.

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3 - MOTION (Allowed) - 03-12-1998

Filed: 03-12-1998 @ 12:00:00  
FOR: Plaintiff-Appellant DOT  
BY : Ms. Lisa C. Bland

The following order was entered:

The motion filed in this cause on the 12th day of March 1998 and designated Motion To Extend Time to File Brief For the Appellant is allowed. Plaintiff-appellant's brief shall be filed on or before 18 March 1998.

By order of the Court this the 12th day of March 1998.

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4 - APPELLANT BRIEF

Filed: 03-20-1998 @ 10:49:00  
FOR: Plaintiff-Appellant DOT  
BY : Ms. Lisa C. Bland

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5 - AIS INFORM SHT

Filed: 03-20-1998 @ 10:49:00  
FOR: Plaintiff-Appellant DOT  
BY : Ms. Lisa C. Bland

6 - MOTION (Allowed) - 04-16-1998  
 Filed: 04-15-1998 @ 12:00:00  
 FOR: Defendant-Appellee W. H. Whiteheart  
 BY : Brian E. Upchurch  
 WILSON & RATLEDGE

The following order was entered:

The motion filed in this cause on the 15th day of April 1998 and designated Motion to Extend Time to File Defendant-Appellee's Brief is allowed. Defendant-appellee's brief shall be filed on or before 20 May 1998.

By order of the Court this the 16th day of April 1998.

7 - APPELLEE BRIEF  
 Filed: 05-22-1998 @ 08:29:00  
 FOR: Defendant-Appellee W. H. Whiteheart  
 BY : Brian E. Upchurch  
 WILSON & RATLEDGE

### Financial Information

### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
06-04-1998	Printing	42.00	42.00	APPELLEE BRIEF	24	R062001398A	06-23-1998
01-12-1998	Printing	129.50	129.50	RECORD	74	R012039298A	02-18-1998
03-26-1998	Printing	84.00	84.00	APPELLANT BRIEF	48	R032012498A	04-23-1998

### Exhibits

### Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellant
Whiteheart, William H.	Defendant-Appellee
Whiteheart Outdoor Advertising Co.	Defendant-Appellee
DOT	Plaintiff-Appellant
W. H. Whiteheart	Defendant-Appellee

### Attorneys

#### Attorney for Plaintiff-Appellant - DOT

Ms. Lisa C. Bland [Primary Attorney]

P.O. Box 25201  
 Raleigh, NC 27611

#### Attorney for Plaintiff-Appellant - DOT

Mr. W. Richard Moore  
Special Deputy Attorney General  
rmoore@ncdoj.gov  
P.O. Box 629  
Raleigh, NC 27602  
(919) 715-2816

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**Attorney for Defendant-Appellee - W. H. Whiteheart**

Brian E. Upchurch [Primary Attorney]  
WILSON & RATLEDGE  
4600 Marriott Drive Suite 400  
Raleigh, NC 27612

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