

# North Carolina Court of Appeals

## Docket Sheet

Southern Furniture Co. v DOT

**Case Number:** 98-819

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

**Case Closed:** Yes

**Close Date:** 06-21-1999

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

**Mediation:** No

SOUTHERN FURNITURE COMPANY  
OF CONOVER, INC.,  
Plaintiff/Appellant,

v

DEPARTMENT OF TRANSPORTATION,  
Defendant/Appellee.

<b>Docket Date:</b> 07-28-1998	<b>File Date:</b> 07-17-1998	<b>File Time:</b> 11:09	<b>Acquired Date:</b> 07-17-1998
<b>Bond Collected:</b> Yes	<b>Docket Fee:</b> Yes	<b>Pauper:</b> No	<b>Print Deposit:</b> No
			<b>State Appeals:</b> No

### History

**Venue:** Guilford (24) **Heard In:** Superior Court

**To SC:** **From SC:**

### Lower Court Number(s)

**Location:** Guilford (24)

**Judge:** William H. Freeman

**Case #:** 93CVS1520

### Tracking/Argue

**Argue Date:** 04-27-1999 #

### Opinion

**Opinion Date:** 06-01-1999 **Cert Date:** 06-21-1999

**Author:** Honorable John C. Martin

**Decision:** Reversed

**Opinion Notes:**

**Opinion Pages:** 11 **Opinion Cost:** \$ 2.20

**Cite:** 133 NC App 400

**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=2&pdf=15559>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) RECORD	07-17-1998					08-12-1998		
(2) MOTION	09-08-1998	09-04-1998					Allowed	09-08-1998

(3) INFORM SHT	10-13-1998	10-12-1998						
(4) APPELLANT BRIEF	10-13-1998	10-12-1998				10-22-1998		
(5) MOTION	11-10-1998	11-10-1998					Allowed	11-10-1998
(6) APPELLEE BRIEF	12-16-1998	12-16-1998				12-23-1998		
(7) MOTION	06-18-1999	06-18-1999					Allowed	06-21-1999

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1 - RECORD

Filed: 07-17-1998 @ 11:09:00

FOR: Plaintiff-Appellant Southern Furniture

BY : Mr. Andrew S. Lasine

KEZIAH, GATES &amp; SAMET, LLP

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2 - MOTION (Allowed) - 09-08-1998

Filed: 09-08-1998 @ 12:00:00

FOR: Plaintiff-Appellant Southern Furniture

BY : Mr. Andrew S. Lasine

KEZIAH, GATES &amp; SAMET, LLP

The following order was entered:

The motion filed in this cause on the 8th day of September 1998 and designated Plaintiff/Appellant's Motion For Extension of Time to File Brief is allowed. Plaintiff-appellant's brief shall be filed on or before 12 October 1998.

By order of the Court this the 8th day of September 1998.

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3 - AIS INFORM SHT

Filed: 10-13-1998 @ 08:31:00

FOR: Plaintiff-Appellant Southern Furniture

BY : Mr. Andrew S. Lasine

KEZIAH, GATES &amp; SAMET, LLP

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4 - APPELLANT BRIEF

Filed: 10-13-1998 @ 08:31:00

FOR: Plaintiff-Appellant Southern Furniture

BY : Mr. Andrew S. Lasine

KEZIAH, GATES &amp; SAMET, LLP

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5 - MOTION (Allowed) - 11-10-1998

Filed: 11-10-1998 @ 12:00:00

FOR: Plaintiff-Appellee DOT

BY : David R. Minges

The following order was entered:

The motion filed in this cause on the 10th day of November 1998 and designated Motion For Extension of Time to File Brief for the State is allowed. Defendant-appellee's brief shall be filed on or before 16 December 1998.

By order of the Court this the 10th day of November 1998.

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6 - APPELLEE BRIEF

Filed: 12-16-1998 @ 04:44:00

FOR: Plaintiff-Appellee DOT

BY : David R. Minges

7 - MOTION (Allowed) - 06-21-1999  
 Filed: 06-18-1999 @ 12:00:00  
 FOR: Plaintiff-Appellee DOT  
 BY : David R. Minges

The following order was entered:

The motion filed in this cause on the 18th day of June 1999 and designated Motion to Alter, Modify, Correct or Withdraw Opinion is allowed and the opinion of the Court is modified as of 21 June 1999.

By order of the Court this the 21st day of June 1999.

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-12-1998	Printing	231.00	231.00	RECORD	132	R082021298A	08-12-1998
10-22-1998	Printing	87.50	87.50	APPELLANT BRIEF	50	R102013198A	10-22-1998
12-23-1998	Printing	50.75	50.75	APPELLEE BRIEF	29	R122003198A	01-13-1999

### Exhibits

### Parties

Party Name	Role
Southern Furniture Company of Conov	Plaintiff-Appellant
Department of Transportation	Defendant-Appellee
Southern Furniture	Plaintiff-Appellant
DOT	Plaintiff-Appellee

### Attorneys

#### Attorney for Plaintiff-Appellant - Southern Furniture

Mr. Andrew S. Lasine [Primary Attorney]

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#### Attorney for Plaintiff-Appellee - DOT

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