

North Carolina Court of Appeals

Docket Sheet

Tyndall, et al v NCDOT

Case Number: 98-963

As of: 04/30/2024

Case Closed: Yes

Close Date: 07-26-1999

Case Type: Civil (Civil_othr)

Mediation: No

H.D. TYNDALL AND WIFE,
CATHERINE TYNDALL,
Plaintiffs,

v

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION,
Defendant.

Docket Date: 08-28-1998

File Date: 08-19-1998

File Time: 10:25

Acquired Date: 08-19-1998

Bond Collected: No

Docket Fee: No

Pauper: No

Print Deposit: No

State Appeals: No

History

Venue: Wayne (9)

Heard In: Superior Court

To SC:

From SC:

Lower Court Number(s)

Location: Wayne (9)

Judge: Knox Jenkins

Case #: 96CVS102

Tracking/Argue

Argue Date: 05-10-1999 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 07-06-1999

Cert Date: 07-26-1999

Author: Honorable Sidney S. Eagles, Jr.

Decision: Affirmed

Opinion Notes:

Opinion Pages: 10

Opinion Cost: \$ 2.00

Cite: 134 NC App 188

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=15689>

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	08-19-1998					09-08-1998		
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(2) MOTION	10-05-1998	10-01-1998					Allowed	10-05-1998
(3) INFORM SHT	10-22-1998	10-21-1998						
(4) APPELLANT BRIEF	11-09-1998	11-06-1998				12-07-1998		
(5) MOTION	12-07-1998	12-07-1998					Allowed	12-07-1998
(6) APPELLEE BRIEF	01-11-1999	01-11-1999				01-29-1999		
(7) REPLY	03-22-1999	03-19-1999				03-26-1999		

1 - RECORD

Filed: 08-19-1998 @ 10:25:00

FOR: Plaintiff-Appellant H.D. Tyndall, et al

BY : Mr. John P. Marshall
WHITE & ALLEN, PA**2 - MOTION (Allowed) - 10-05-1998**

Filed: 10-05-1998 @ 12:00:00

FOR: Plaintiff-Appellant H.D. Tyndall, et al

BY : Mr. John P. Marshall
WHITE & ALLEN, PA

The following order was entered:

The motion filed in this cause on the 5th day of October 1998 and designated Motion For Extension of Time is allowed. Plaintiff-appellants shall file their brief on or before 7 November 1998.

By order of the Court this the 5th day of October 1998.

3 - AIS INFORM SHT

Filed: 10-22-1998 @ 09:00:00

FOR: Plaintiff-Appellant H.D. Tyndall, et al

BY : Mr. John P. Marshall
WHITE & ALLEN, PA**4 - APPELLANT BRIEF**

Filed: 11-09-1998 @ 08:43:00

FOR: Plaintiff-Appellant H.D. Tyndall, et al

BY : Mr. John P. Marshall
WHITE & ALLEN, PA**5 - MOTION (Allowed) - 12-07-1998**

Filed: 12-07-1998 @ 12:00:00

FOR: Defendant-Appellee NCDOT

BY : Ms. Elizabeth N. Strickland

The following order was entered:

The motion filed in this cause on the 7th day of December 1998 and designated Motion for Extension of Time to File Brief for Defendant-Appellee is allowed. Defendant-appellee's brief shall be filed on or before 11 January 1999.

By order of the Court this the 7th day of December 1998.

6 - APPELLEE BRIEF

Filed: 01-11-1999 @ 04:43:00

FOR: Defendant-Appellee NCDOT

BY : Ms. Elizabeth N. Strickland

7 - APPELLANT BRIEF REPLY

Filed: 03-22-1999 @ 08:55:00

FOR: Plaintiff-Appellant H.D. Tyndall, et al

BY : Mr. John P. Marshall
WHITE & ALLEN, PA

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
01-29-1999	Printing	68.25	68.25	APPELLEE BRIEF	39	R012004199A	03-01-1999
09-08-1998	Printing	470.75	470.75	RECORD	269	R092027998A	09-08-1998
12-07-1998	Printing	40.25	40.25	APPELLANT BRIEF	23	R122008798A	12-07-1998
03-26-1999	Printing	12.25	12.25	APPELLANT BRIEF	7	R032000899A	03-26-1999

Exhibits**Parties**

Party Name	Role
Tyndall, H.D.	Plaintiff-Appellant
Tyndall, Catherine	Plaintiff-Appellant
N.C. Department of Transportation	Defendant-Appellee
NCDOT	Defendant-Appellee

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