

North Carolina Court of Appeals

Docket Sheet

Payne v Department of Transportation

Case Number: 01-1547
As of: 05/01/2024
Case Closed: Yes **Close Date:** 01-21-2003 **Case Type:** Civil (Civil_othr) **Mediation:** No

THOMAS L. PAYNE and his wife,
 JERLEAN BOLES PAYNE,
 Plaintiffs,

V

DEPARTMENT OF TRANSPORTATION
 of the STATE OF NORTH CAROLINA,
 Defendant.

Docket Date: 12-19-2001 **File Date:** 12-13-2001 **File Time:** 04:05 **Acquired Date:** 12-13-2001
Bond Collected: No **Docket Fee:** No **Pauper:** No **Print Deposit:** No **State Appeals:** Yes

History

Venue: Surry (23) **Heard In:** Superior Court
To SC: **From SC:**

Lower Court Number(s)

Location: Surry (23)
Judge: William H. Freeman
Case #: 98CVS62

Tracking/Argue

Argue Date: 10-08-2002 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 12-31-2002 **Cert Date:** 01-21-2003
Author: Honorable Linda M. McGee
Decision: Reversed and remanded
Opinion Notes:
Opinion Pages: 8 **Opinion Cost:** \$ 1.60
Cite: 155 NC App 221
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=20481>

Documents

Document	Date Recvd	Cert of Service	Rec/Brt Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) RECORD	12-13-2001					01-09-2002		
(2) INFORM SHT	01-25-2002	01-23-2002						
(3) MOTION	02-04-2002	02-04-2002					Allowed	02-05-2002
(4) APPELLANT BRIEF	03-11-2002	03-08-2002				03-21-2002		
(5) MOTION	04-08-2002	04-05-2002					Allowed	04-08-2002
(6) APPELLEE BRIEF	05-13-2002	05-10-2002				05-29-2002		

1 - RECORD

Filed: 12-13-2001 @ 04:05:00
 FOR: Defendant-Appellant DOT of the State of NC
 BY : Mr. W. Richard Moore

2 - AIS INFORM SHT

Filed: 01-25-2002 @ 09:02:00
 FOR: Defendant-Appellant DOT of the State of NC
 BY : Mr. W. Richard Moore

3 - MOTION (Allowed) - 02-05-2002

Filed: 02-04-2002 @ 12:00:00
 FOR: Defendant-Appellant DOT of the State of NC
 BY : Mr. W. Richard Moore

The following order was entered:

The motion filed in this cause on the 4th day of February 2002 and designated Motion For Extension Of Time To File Appellant's Brief is allowed. Defendant-appellant's brief shall be filed on or before 8 March 2002.

By order of the Court this the 5th day of February 2002.

4 - APPELLANT BRIEF

Filed: 03-11-2002 @ 08:53:00
 FOR: Defendant-Appellant DOT of the State of NC
 BY : Mr. W. Richard Moore

5 - MOTION (Allowed) - 04-08-2002

Filed: 04-08-2002 @ 12:00:00
 FOR: Plaintiff-Appellee Thomas & Jerlean Payne
 BY : Mr. Max Ballinger

The following order was entered:

The motion filed in this cause on the 8th day of April 2002 and designated Plaintiff-Appellees' Motion For Extension Of Time To File Brief is allowed. Plaintiff-appellees' brief shall be filed on or before 10 May 2002.

By order of the Court this the 8th day of April 2002.

6 - APPELLEE BRIEF

Filed: 05-13-2002 @ 09:17:00
 FOR: Plaintiff-Appellee Thomas & Jerlean Payne
 BY : Mr. Max Ballinger

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
01-09-2002	Printing	185.50	185.50	RECORD	106	R012006102A	03-04-2002

01-18-2002	Docket Fee	10.00	10.00			R012036802A	01-18-2002
03-21-2002	Printing	63.00	63.00	APPELLANT BRIEF	36	R032034702A	05-23-2002
05-29-2002	Printing	40.25	40.25	APPELLEE BRIEF	23	R052062702A	05-29-2002
12-31-2002	Assess	267.50	0.00				

Exhibits

Parties

Party Name	Role
Payne, Thomas L.	Plaintiff-Appellee
Payne, Jerlean Boles	Plaintiff-Appellee
Department of Transportation of NC	Defendant-Appellant
DOT of the State of NC	Defendant-Appellant
Thomas & Jerlean Payne	Plaintiff-Appellee

Attorneys

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