

North Carolina Court of Appeals

Docket Sheet

Smith v NC DOT

Case Number: 02-146

As of: 05/01/2024

Case Closed: Yes

Close Date: 03-10-2003

Case Type: Civil (Civil_othr)

Mediation: No

SAMUEL SMITH,
Plaintiff

V

N.C. DEPARTMENT OF TRANSPORTATION,
Defendant

Docket Date: 02-04-2002

File Date: 02-01-2002

File Time: 02:39

Acquired Date: 02-01-2002

Bond Collected: Yes

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals: Yes

History

Venue: N.C. Industrial Commission (204)

Heard In: N.C. Industrial Commission

To SC:

From SC:

Lower Court Number(s)

Location: N.C. Industrial Commission (204)

Judge:

Case #: TA15063

Tracking/Argue

Argue Date: 10-09-2002 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 02-18-2003

Cert Date: 03-10-2003

Author: Honorable Douglas McCullough

Decision: Affirmed in part, vacated in part and remanded

Opinion Notes:

Opinion Pages: 23

Opinion Cost: \$ 4.60

Cite: 156 NC App 92

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=20675>

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
----------	------------	-----------------	-------------	-----------	-------------	------------	--------	-------------

(1) SHARED	02-01-2002					02-12-2002		
(2) SHARED	02-01-2002					02-12-2002		

(3) INFORM SHT	02-18-2002	02-14-2002						
(4) APPELLANT BRIEF	03-13-2002	03-13-2002				03-25-2002		
(5) APPELLANT BRIEF	03-14-2002	03-13-2002				03-25-2002		
(6) APPELLEE BRIEF	04-16-2002	04-15-2002				04-26-2002		
(7) MOTION	04-22-2002	04-22-2002		05-06-2002			Allowed	05-06-2002
(8) APPELLEE BRIEF	04-22-2002	04-22-2002				05-16-2002		
(9) INFORM SHT	05-31-2002	05-31-2002						

1 - RECORD SHARED
 Filed: 02-01-2002 @ 02:39:00
 FOR: Plaintiff-Appellant Samuel S. Smith
 BY : Mr. Gregory C. York
 MORRIS, YORK, MORRIS, SURLES & BARRINGER, LLP

2 - RECORD SHARED
 Filed: 02-01-2002 @ 02:39:00
 FOR: Defendant-Appellant N.C. DOT
 BY : Mr. Richard L. Harrison

3 - AIS INFORM SHT
 Filed: 02-18-2002 @ 08:37:00
 FOR: Plaintiff-Appellant Samuel S. Smith
 BY : Mr. Gregory C. York
 MORRIS, YORK, MORRIS, SURLES & BARRINGER, LLP

4 - APPELLANT BRIEF
 Filed: 03-13-2002 @ 02:06:00
 FOR: Defendant-Appellant N.C. DOT
 BY : Mr. Richard L. Harrison

5 - APPELLANT BRIEF
 Filed: 03-14-2002 @ 09:28:00
 FOR: Plaintiff-Appellant Samuel S. Smith
 BY : Mr. Gregory C. York
 MORRIS, YORK, MORRIS, SURLES & BARRINGER, LLP

6 - APPELLEE BRIEF
 Filed: 04-16-2002 @ 08:33:00
 FOR: Plaintiff-Appellant Samuel S. Smith
 BY : Mr. Gregory C. York
 MORRIS, YORK, MORRIS, SURLES & BARRINGER, LLP

7 - MOTION (Allowed) - 05-06-2002
 Filed: 04-22-2002 @ 12:00:00
 FOR: Defendant-Appellant N.C. DOT
 BY : Mr. Richard L. Harrison

The following order was entered:

The motion filed in this cause on the 22nd day of April 2002 and designated Motion For Extension Of Time is allowed. Defendant-appellee's brief is deemed timely filed.
 By order of the Court this the 6th day of May 2002.

8 - APPELLEE BRIEF
 Filed: 04-22-2002 @ 02:47:00
 FOR: Defendant-Appellant N.C. DOT
 BY : Mr. Richard L. Harrison

9 - AIS INFORM SHT
 Filed: 05-31-2002 @ 03:41:00
 FOR: Defendant-Appellant N.C. DOT
 BY : Mr. Richard L. Harrison

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
02-12-2002	Printing	54.25	54.25	RECORD	31	R022010902A	05-16-2002
03-05-2002	Docket Fee	10.00	10.00			R032003402A	03-05-2002
03-25-2002	Printing	47.25	47.25	APPELLANT BRIEF	27	R032045102A	05-23-2002
05-16-2002	Printing	24.50	24.50	APPELLEE BRIEF	14	R052044002A	07-15-2002
02-18-2003	Assess	141.50	141.50			R022023503A	03-06-2003
02-04-2002	Bond	250.00	250.00			R022001602A	02-04-2002
02-04-2002	Docket Fee	10.00	10.00			R022001602A	02-04-2002
02-12-2002	Printing	54.25	54.25	RECORD	31	R022010802A	02-12-2002
03-25-2002	Printing	35.00	35.00	APPELLANT BRIEF	20	R032045202A	03-25-2002
04-26-2002	Printing	33.25	33.25	APPELLEE BRIEF	19	R042064102A	04-26-2002

Payments

Payment Date	Payment Type	Amount	Check Number
02-19-2003	Disburse	250.00	23462
03-06-2003	Disburse	132.50	23549

Exhibits

Parties

Party Name	Role
Smith, Samuel S.	Plaintiff-Appellant
N.C. Department of Transportation	Defendant-Appellant
Samuel S. Smith	Plaintiff-Appellant
N.C. DOT	Defendant-Appellant

Attorneys

Attorney for Plaintiff-Appellant - Samuel S. Smith

Mr. Gregory C. York [Primary Attorney]

Attorney at Law

gyork@yorkwilliamsllaw.com

MORRIS, YORK, MORRIS, SURLES & BARRINGER, LLP

P.O. Box 36858

Charlotte, NC 28236

(704) 375-4480

Attorney for Defendant-Appellant - N.C. DOT

Mr. Richard L. Harrison [Primary Attorney]

Special Deputy Attorney General

rharris@ncdoj.gov

P.O. Box 629

Raleigh, NC 27602

(919) 716-6900
