

# North Carolina Court of Appeals

## Docket Sheet

DOT v Doe, Inc.

**Case Number:** 02-400  
**As of:** 05/01/2024  
**Case Closed:** Yes      **Close Date:** 01-22-2003      **Case Type:** Civil (Civil\_othr)      **Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

V

DOE, INC.,  
Defendant.

**Docket Date:** 03-28-2002    **File Date:** 03-22-2002    **File Time:** 10:37    **Acquired Date:** 03-22-2002  
**Bond Collected:** No    **Docket Fee:** Yes    **Pauper:** No    Print Deposit: No    **State Appeals:** Yes

**History**

**Venue:** Richmond (21)    **Heard In:** Superior Court  
**To SC:**                      **From SC:** 05-09-2002

**Lower Court Number(s)**

Location: Richmond (21)  
 Judge: Larry G. Ford  
 Case #: 97CVS1024

**Tracking/Argue**

**Argue Date:** 01-21-2003 #

**Opinion**

**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-22-2002					04-10-2002		
(2) MOTION	05-10-2002	05-10-2002		05-24-2002			Allowed	05-24-2002
(3) APPELLANT BRIEF	05-10-2002	05-10-2002				05-29-2002		
(4) INFORM SHT	05-10-2002	05-10-2002						
(5) MOTION	05-13-2002	05-10-2002					Allowed	05-14-2002
(6) MOTION	06-03-2002	05-31-2002					Allowed	06-03-2002
(7) APPELLEE BRIEF	07-11-2002	07-10-2002				07-23-2002		
(8) MOTION	07-19-2002	07-19-2002		08-02-2002			Allowed	08-07-2002

(9) MOTION	07-22-2002	07-19-2002		08-02-2002			Allowed	08-06-2002
(10) AMICUS	08-05-2002	08-01-2002				08-15-2002		
(11) AMICUS	08-19-2002	08-19-2002				08-29-2002		
(12) OTHER	10-22-2002						Special Order	10-22-2002
(13) ADD-AUTH	12-27-2002	12-26-2002						
(14) MOTION	01-21-2003	01-21-2003					Allowed	01-22-2003

## 1 - RECORD

Filed: 03-22-2002 @ 10:37:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. W. Richard Moore

## 2 - MOTION (Allowed) - 05-24-2002

Filed: 05-10-2002 @ 12:00:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. W. Richard Moore

The following order was entered:

The motion filed in this cause on the 10th day of May 2002 and designated Motion To Amend Record On Appeal is allowed. Counsel for plaintiff-appellant shall make arrangements with the Clerk of this Court to personally amend the printed copies of the existing record on appeal to correct the record page reference in the assignments of error and to correct the statutory reference in the assignments of error.

By order of the Court this the 24th day of May 2002.

## 3 - APPELLANT BRIEF

Filed: 05-10-2002 @ 09:25:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. W. Richard Moore

## 4 - AIS INFORM SHT

Filed: 05-10-2002 @ 09:24:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. W. Richard Moore

## 5 - MOTION (Allowed) - 05-14-2002

Filed: 05-13-2002 @ 12:00:00

FOR: Amicus Stanfield, Mary C.

BY : Mr. Allen C. Smith

NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS

The following order was entered:

The motion filed in this cause on the 13th day of May 2002 and designated Motion For Leave To File Amicus Curiae Brief By The North Carolina Association Of Defense Attorneys is allowed as follows: Movant shall file a brief, not exceeding fifteen pages in length, within ten days of the filing of the appellee's brief. The principal parties of record shall notify the movant of the filing of their briefs.

By order of the Court this the 14th day of May 2002.

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6 - MOTION (Allowed) - 06-03-2002  
Filed: 06-03-2002 @ 12:00:00  
FOR: Defendant-Appellee Doe, INC  
BY : Mr. Michael J. Lewis  
LAND CONDEMNATION LAW CENTER

The following order was entered:

The motion filed in this cause on the 3rd day of June 2002 and designated Motion For Extension Of Time For Filing Appellee's Brief is allowed. Defendant-appellee's brief shall be filed on or before 12 July 2002.

By order of the Court this the 3rd day of June 2002.

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7 - APPELLEE BRIEF  
Filed: 07-11-2002 @ 08:44:00  
FOR: Defendant-Appellee Doe, INC  
BY : Mr. Michael J. Lewis  
LAND CONDEMNATION LAW CENTER

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8 - MOTION (Allowed) - 08-07-2002  
Filed: 07-19-2002 @ 12:00:00  
FOR: Amicus Stanfield, Mary C.  
BY : Mr. Jerome P. Trehy, Jr.  
TWIGGS, BESKIND, STRICKLAND

The following order was entered:

The motion filed in this cause on the 19th day of July 2002 and designated Motion Of The North Carolina Academy Of Trial Lawyers For Leave To File Brief As Amicus Curiae And Motion For Extension Of Time In Which To File Brief is allowed as follows: Movant shall file a brief, not exceeding fifteen pages in length, on or before 19 August 2002. The principal parties of record shall notify the movant of the filing of their briefs.

By order of the Court this the 7th day of August 2002.

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9 - MOTION (Allowed) - 08-06-2002  
Filed: 07-22-2002 @ 12:00:00  
FOR: Amicus Stanfield, Mary C.  
BY : Mr. Allen C. Smith  
NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS

The following order was entered:

The motion filed in this cause on the 22nd day of July 2002 and designated Motion For Extension Of Time To File Amicus Curiae Brief On Behalf Of The North Carolina Association Defense Attorneys is allowed. The brief shall be filed on or before 2 August 2002.

By order of the Court this the 6th day of August 2002.

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10 - OTHER BRIEF AMICUS  
Filed: 08-05-2002 @ 09:11:00  
FOR: Amicus Stanfield, Mary C.  
BY : Mr. Allen C. Smith  
NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS

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11 - OTHER BRIEF AMICUS  
Filed: 08-19-2002 @ 04:56:00  
FOR: Amicus Stanfield, Mary C.  
BY : Mr. Jerome P. Trehy, Jr.  
TWIGGS, BESKIND, STRICKLAND

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12 - OTHER (Special Order) - 10-22-2002  
Filed: 10-22-2002 @ 12:00:00  
FOR: For the Court Farrar, Fletcher Lewis  
BY : Hon. S Eagles, Jr.

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13 - MEMOS ADD-AUTH  
Filed: 12-27-2002 @ 02:41:00  
FOR: Defendant-Appellee Doe, INC  
BY : Mr. Michael J. Lewis  
LAND CONDEMNATION LAW CENTER

14 - MOTION (Allowed) - 01-22-2003  
 Filed: 01-21-2003 @ 12:00:00  
 FOR: Plaintiff-Appellant Department of Transportation  
 BY : Mr. W. Richard Moore

The following order was entered:

The motion filed in this cause on the 21st day of January 2003 and designated Notice Of Withdrawal Of Appeal is allowed. Appeal dismissed. Appellant to pay costs.

And it is considered and adjudged further, that the Appellant, Department of Transportation, do pay the costs of the appeal in this Court incurred, to wit, the sum of Forty-Four Dollars and 00/100 (\$44.00), and execution issue therefor. By order of the Court this the 22nd day of January 2003.

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
04-10-2002	Printing	197.75	197.75	RECORD	113	R042019602A	06-24-2002
05-09-2002	Docket Fee	10.00	10.00			R052018602A	05-09-2002
05-29-2002	Printing	66.50	66.50	APPELLANT BRIEF	38	R052062102A	07-15-2002
01-22-2003	Assess	44.00	44.00			R012057403A	02-12-2003
08-15-2002	Printing	47.25	47.25	OTHER BRIEF	27	R082028502A	08-30-2002
08-29-2002	Printing	28.00	28.00	OTHER BRIEF	16	R082066102A	09-05-2002
07-23-2002	Printing	35.00	35.00	APPELLEE BRIEF	20	R072067502A	07-23-2002

#### Payments

Payment Date	Payment Type	Amount	Check Number
02-25-2003	Disburse	35.00	23497

### Exhibits

### Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellant
Doe, Inc.	Defendant-Appellee
Doe, INC	Defendant-Appellee

### Attorneys

#### Attorney for Plaintiff-Appellant - Department of Transportation

Mr. W. Richard Moore [Primary Attorney]

Special Deputy Attorney General  
rmoore@ncdoj.gov  
Mr. Douglas W. Corkhill  
Special Deputy Attorney General  
dcorkhill@ncdoj.gov  
P.O. Box 629  
Raleigh, NC 27602  
(919) 707-4480

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**Attorney for Plaintiff-Appellant - Department of Transportation**

Mr. James M. Stanley, Jr.  
Special Deputy Attorney General  
jstanley@ncdoj.gov  
6 Roberts Road, Suite 102  
Asheville, NC 28803  
(919) 707-4480

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**Attorney for Defendant-Appellee - Doe, INC**

Mr. Michael J. Lewis [Primary Attorney]  
David D. Daggett  
LAND CONDEMNATION LAW CENTER  
P.O. Box 24755  
Winston-Salem, NC 27114

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**Attorney for Defendant-Appellee - Doe, INC**

James R. Gilreath [Primary Attorney]  
THE GILREATH LAW FIRM, PA  
P.O. Box 2147  
Greenville, SC 29602

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**Attorney for Amicus - Stanfield, Mary C.**

Mr. Allen C. Smith [Primary Attorney]  
Attorney at Law  
acsmith@hedrickgardner.com  
Mr. Terry L. Wallace  
Attorney at Law  
terrywallace@parkerpoe.com  
NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS  
P.O. Box 30397  
Charlotte, NC 28230  
(704) 335-9050

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**Attorney for Amicus - Stanfield, Mary C.**

Mr. Jerome P. Trehy, Jr. [Primary Attorney]

Attorney at Law

[jtrehy@trehysafetylaw.com](mailto:jtrehy@trehysafetylaw.com)

Mr. Donald H. Beskind

Attorney at Law

[beskind@nctrial.com](mailto:beskind@nctrial.com)

Mr. Howard F. Twiggs

Attorney at Law

[twiggs@nctrial.com](mailto:twiggs@nctrial.com)

TWIGGS, BESKIND, STRICKLAND

P.O. Drawer 30

Raleigh, NC 27602

(919) 828-4357

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