

# North Carolina Court of Appeals

## Docket Sheet

DOT v Haywood Cty.

**Case Number:** 03-1479

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

**Case Closed:** Yes

**Close Date:** 12-06-2004

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

**Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

V

HAYWOOD COUNTY,  
Defendant.

**Docket Date:** 11-20-2003

**File Date:** 11-06-2003

**File Time:** 09:29

**Acquired Date:** 11-06-2003

**Bond Collected:** No

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** No

### History

**Venue:** Haywood (43)

**Heard In:** Superior Court

**To SC:**

**From SC:** 03-03-2006

### Lower Court Number(s)

Location: Haywood (43)

Judge: Albert Diaz

Case #: 01CVS78

### Tracking/Argue

**Argue Date:** 08-31-2004 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 11-16-2004

Cert Date: 12-06-2004

Author: Honorable Patricia Timmons-Goodson

Decision: Reversed and remanded

Opinion Notes:

Opinion Pages: 12

Opinion Cost: \$ 2.40

Cite: 167 NC App 55

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=23316>

### 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	11-06-2003					12-03-2003		
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(2) MOTION	12-17-2003	12-15-2003					Allowed	12-17-2003
(3) INFORM SHT	01-12-2004	01-09-2004						
(4) APPELLANT BRIEF	02-02-2004	01-30-2004				02-27-2004		
(5) MOTION	03-01-2004	02-26-2004					Allowed	03-01-2004
(6) APPELLEE BRIEF	04-02-2004	03-31-2004				05-05-2004		

**1 - RECORD**

Filed: 11-06-2003 @ 09:29:00

FOR: Defendant-Appellant Haywood Cty.

BY : Mr. Jeffrey W. Norris

JEFFREY W. NORRIS &amp; ASSOCIATES, PLLC

**2 - MOTION (Allowed) - 12-17-2003**

Filed: 12-17-2003 @ 12:00:00

FOR: Defendant-Appellant Haywood Cty.

BY : Mr. Jeffrey W. Norris

JEFFREY W. NORRIS &amp; ASSOCIATES, PLLC

The following order was entered:

The motion filed in this cause on the 17th day of December 2003 and designated Appellant Haywood County's Motion For Extension Of Time To File Brief is allowed. Defendant-appellant's brief shall be filed on or before 2 February 2004.

By order of the Court this the 17th day of December 2003.

**3 - AIS INFORM SHT**

Filed: 01-12-2004 @ 08:36:00

FOR: Defendant-Appellant Haywood Cty.

BY : Mr. Jeffrey W. Norris

JEFFREY W. NORRIS &amp; ASSOCIATES, PLLC

**4 - APPELLANT BRIEF**

Filed: 02-02-2004 @ 10:06:00

FOR: Defendant-Appellant Haywood Cty.

BY : Mr. Jeffrey W. Norris

JEFFREY W. NORRIS &amp; ASSOCIATES, PLLC

**5 - MOTION (Allowed) - 03-01-2004**

Filed: 03-01-2004 @ 12:00:00

FOR: Plaintiff-Appellee DOT

BY : Mr. Martin T. McCracken

The following order was entered:

The motion filed in this cause on the 1st day of March 2004 and designated Motion For Extension Of Time To File Plaintiff-Appellee's Brief is allowed. Plaintiff-appellee's brief shall be filed on or before 2 April 2004.

By order of the Court this the 1st day of March 2004.

**6 - APPELLEE BRIEF**

Filed: 04-02-2004 @ 09:45:00

FOR: Plaintiff-Appellee DOT

BY : Mr. Martin T. McCracken

<b>Financial Information</b>
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<b>Receipts</b>							
<b>Date Charged</b>	<b>Charge Type</b>	<b>Amount Charged</b>	<b>Amount Paid</b>	<b>Document</b>	<b>Pages</b>	<b>Receipt #</b>	<b>Date Paid</b>
05-05-2004	Printing	47.25	47.25	APPELLEE BRIEF	27	R052013704A	07-28-2004
11-16-2004	Assess	110.00	110.00			R112029704A	04-07-2005
11-19-2003	Docket Fee	10.00	10.00			R112036403A	11-19-2003

<b>Date Charged</b>	<b>Charge Type</b>	<b>Amount Charged</b>	<b>Amount Paid</b>	<b>Document</b>	<b>Pages</b>	<b>Receipt #</b>	<b>Date Paid</b>
05-05-2004	Printing	47.25	47.25	APPELLEE BRIEF	27	R052013704A	07-28-2004
11-16-2004	Assess	110.00	110.00			R112029704A	04-07-2005
11-19-2003	Docket Fee	10.00	10.00			R112036403A	11-19-2003

12-03-2003	Printing	56.00	56.00	RECORD	32	R122002503A	12-03-2003
02-27-2004	Printing	35.00	35.00	APPELLANT BRIEF	20	R022062304A	02-27-2004
04-10-2006	Assess	167.25	167.25			R042002406A	09-28-2006

**Payments**

Payment Date	Payment Type	Amount	Check Number
04-08-2005	Disburse	101.00	27126
09-28-2006	Disburse	157.25	29545

**Exhibits****Parties**

Party Name

Role

Department of Transportation

Plaintiff-Appellee

Haywood County

Defendant-Appellant

Haywood Cty.

Defendant-Appellant

DOT

Plaintiff-Appellee

**Attorneys****Attorney for Defendant-Appellant - Haywood Cty.**

Mr. Jeffrey W. Norris [Primary Attorney]

Attorney at Law

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**Attorney for -**

N.C. Dept of Justice [Primary Attorney]

N.C. DEPARTMENT OF JUSTICE

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