

North Carolina Court of Appeals

Docket Sheet

Dept of Transportation v Durham

Case Number: 06-283
As of: 05/01/2024
Case Closed: Yes **Close Date:** **Case Type:** Civil (Civil_othr) **Mediation:** No

NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION,
 Plaintiff,

V

COUNTY OF DURHAM,
 Defendant.

Docket Date: 03-07-2006 **File Date:** 02-24-2006 **File Time:** 11:55 **Acquired Date:** 02-24-2006
Bond Collected: Yes **Docket Fee:** Yes **Pauper:** No **Print Deposit:** No **State Appeals:** No

History

Venue: Durham (16) **Heard In:** Superior Court
To SC: **From SC:**

Lower Court Number(s)

Location: Durham (16)
Judge: Steven Balog
Case #: 04CVS6391

Tracking/Argue

Argue Date: 10-31-2006 #

Opinion

Opinion Date: 01-02-2007 **Cert Date:** 01-22-2007
Author: Honorable Robin Hudson
Decision: Affirmed in part and dismissed in part
Opinion Notes:
Opinion Pages: 4 **Opinion Cost:** \$ 0.80
Cite: 181 NC App 346
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=1058>

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	02-24-2006	01-24-2006				03-10-2006		

(2) MOTION	03-27-2006	03-23-2006					Allowed	03-28-2006
(3) APPELLANT BRIEF	05-10-2006	05-08-2006				05-15-2006		
(4) INFORM SHT	05-10-2006	05-08-2006						
(5) MOTION	06-08-2006	06-08-2006					Allowed	06-12-2006
(6) MOTION	07-03-2006	07-03-2006					Allowed	07-05-2006
(7) APPELLEE BRIEF	07-19-2006	07-19-2006				07-24-2006		
(8) MOTION	10-02-2006	10-02-2006			10-12-2006		Denied	01-02-2007
(9) MOTION	10-02-2006	10-02-2006					Allowed	01-02-2007

1 - RECORD

Filed: 02-24-2006 @ 11:55:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

2 - MOTION (Allowed) - 03-28-2006

Filed: 03-27-2006 @ 12:00:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

The following order was entered:

The motion filed in this cause on the 27th day of March 2006 and designated Appellant, County Of Durham's Motion For Extension Of Time is allowed. Defendant-appellant's brief shall be filed on or before 19 May 2006. By order of the Court this the 28th day of March 2006.

3 - APPELLANT BRIEF

Filed: 05-10-2006 @ 09:18:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

4 - AIS INFORM SHT

Filed: 05-10-2006 @ 09:18:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

5 - MOTION (Allowed) - 06-12-2006

Filed: 06-08-2006 @ 12:00:00
 FOR: Plaintiff-Appellee Department of Transportation
 BY : Mr. Sprugeon Fields, III

The following order was entered:

The motion filed in this cause on the 8th day of June 2006 and designated Motion for Extension of Time In Which To File the Brief For the Appellee is allowed. Plaintiff-appellee's brief shall be filed on or before 10 July 2006. By order of the Court this the 12th day of June 2006.

6 - MOTION (Allowed) - 07-05-2006
 Filed: 07-03-2006 @ 12:00:00
 FOR: Plaintiff-Appellee Department of Transportation
 BY : Mr. Sprugeon Fields, III

The following order was entered:

The motion filed in this cause on the 3rd day of July 2006 and designated Motion For Extension Of Time In Which To File The Brief For The Appellee is allowed. Plaintiff-appellee's brief shall be filed on or before 20 July 2006.

By order of the Court this the 5th day of July 2006.

7 - APPELLEE BRIEF
 Filed: 07-19-2006 @ 14:36:00
 FOR: Plaintiff-Appellee Department of Transportation
 BY : Mr. Sprugeon Fields, III

8 - MOTION (Denied) - 01-02-2007
 Filed: 10-02-2006 @ 12:00:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

The following order was entered:

The motion filed in this cause on the 2nd day of October 2006 and designated Defendant-Appellant's Motion to Strike Portions of the Plaintiff-Appellee's Brief is denied.

By order of the Court this the 2nd day of January 2007.

RESPONSE TO MOTION
 Filed: 10-12-2006
 BY :

9 - MOTION (Allowed) - 01-02-2007
 Filed: 10-02-2006 @ 12:00:00
 FOR: Defendant-Appellant The County of Durham
 BY : Mr. Curtis Massey
 OFFICE OF THE COUNTY ATTORNEY

The following order was entered:

The motion filed in this cause on the 2nd day of October 2006 and designated Defendant-Appellant's Motion for Leave to File a Reply Brief is allowed.

By order of the Court this the 2nd day of January 2007.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
03-07-2006	Docket Fee	10.00	10.00			R032015506	03-07-2006
03-10-2006	Printing	98.00	86.25	RECORD	56	R032023506	03-10-2006
03-10-2006	Balance	11.75	11.75	RECORD	56	R032023606	03-30-2006
05-15-2006	Printing	73.50	97.50	APPELLANT BRIEF	42	R052021406	05-15-2006
01-02-2007	Assess	82.50	82.50			R012000407	01-17-2007
07-24-2006	Printing	73.50	73.50	APPELLEE BRIEF	42	R072032106	10-13-2006

Payments

Payment Date	Payment Type	Amount	Check Number
01-19-2007	Disburse	73.50	29941
11-06-2008	Refund	24.00	36332

Exhibits

Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellee
County of Durham	Defendant-Appellant
The County of Durham	Defendant-Appellant

Attorneys

Attorney for Defendant-Appellant - The County of Durham

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Attorney for -

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