

# North Carolina Court of Appeals

## Docket Sheet

### Dept of Transportation v Blevins

**Case Number:** 06-1008

**As of:** 05/01/2024

**Case Closed:** Yes **Close Date:** 11-28-2006 **Case Type:** Civil (Civil\_othr) **Mediation:** Yes

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

V

DAVID C. BLEVINS, ET. US., ET. ALS.,  
Defendants.

**Docket Date:** 08-09-2006 **File Date:** 07-31-2006 **File Time:** 09:04 **Acquired Date:** 07-31-2006  
**Bond Collected:** No **Docket Fee:** No **Pauper:** No **Print Deposit:** No **State Appeals:** Yes

#### History

**Venue:** Haywood (43) **Heard In:** Superior Court

**To SC:** **From SC:**

#### Lower Court Number(s)

**Location:** Haywood (43)

**Judge:** J. Marlene Hyatt

**Case #:** 01CVS473

#### Tracking/Argue

#### Opinion

#### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	07-31-2006	07-12-2006				08-10-2006		
(2) MOTION	09-11-2006	09-06-2006					Allowed	09-12-2006
(3) MOTION	10-10-2006	10-06-2006					Allowed	10-11-2006
(4) MOTION	11-15-2006	11-13-2006					Allowed	11-16-2006
(5) MOTION	11-27-2006	11-22-2006					Allowed	11-28-2006

1 - RECORD

Filed: 07-31-2006 @ 09:04:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. Martin T. McCracken

N.C. DEPARTMENT OF JUSTICE

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2 - MOTION (Allowed) - 09-12-2006  
Filed: 09-11-2006 @ 12:00:00  
FOR: Plaintiff-Appellant Department of Transportation  
BY : Mr. Martin T. McCracken  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 11th day of September 2006 and designated Motion for Extension of Time to File Plaintiff-Appellant's Brief is allowed as follows: Plaintiff appellant's brief shall be filed on or before 11 October 2006. If any further extensions of time are requested counsel shall inform the Court of the date set for mediation.

By order of the Court this the 12th day of September 2006.

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3 - MOTION (Allowed) - 10-11-2006  
Filed: 10-10-2006 @ 12:00:00  
FOR: Plaintiff-Appellant Department of Transportation  
BY : Mr. Martin T. McCracken  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 10th day of October 2006 and designated Motion for Additional Extension of Time to File Plaintiff-Appellant's Brief is allowed. Plaintiff-appellant's brief shall be filed on or before 10 November 2006.

By order of the Court this the 11th day of October 2006.

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4 - MOTION (Allowed) - 11-16-2006  
Filed: 11-15-2006 @ 12:00:00  
FOR: Plaintiff-Appellant Department of Transportation  
BY : Mr. Martin T. McCracken  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 15th day of November 2006 and designated Motion for Additional Extension of Time to File Plaintiff-Appellant's Brief is allowed. Plaintiff-appellant's brief shall be filed on or before 27 November 2006.

By order of the Court this the 16th day of November 2006.

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5 - MOTION (Allowed) - 11-28-2006  
Filed: 11-27-2006 @ 12:00:00  
FOR: Plaintiff-Appellant Department of Transportation  
BY : Mr. Martin T. McCracken  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 27th day of November 2006 and designated Motion to Dismiss Appeal is allowed. Appeal dismissed. Plaintiff-appellant to pay costs.

And it is considered and adjudged further, that the Plaintiff-appellant, Department of Transportation, do pay the costs of the appeal in this Court incurred, to wit, the sum of Nine Dollars and 00/100 (\$9.00), and execution issue therefor.

By order of the Court this the 28th day of November 2006.

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<b>Financial Information</b>
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<b>Receipts</b>
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Date Charged	Charge Type	Amount Chaged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-09-2006	Docket Fee	10.00	10.00			R082016006	09-11-2006
08-10-2006	Printing	68.25	68.25	RECORD	39	R082025206	10-13-2006
11-28-2006	Assess	9.00	9.00			R112040306	07-27-2007

### Exhibits

### Parties

Party Name	Role
Dept of Transportation	Plaintiff-Appellant
Department of Transportation	Plaintiff-Appellant
Blevins, David C.	Defendant-Appellee

### Attorneys

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

Mr. Martin T. McCracken [Primary Attorney]

Special Deputy Attorney General

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N.C. DEPARTMENT OF JUSTICE

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