

North Carolina Court of Appeals

Docket Sheet

High Rock Lake Partners v NC DOT

Case Number: 09-95

As of: 04/30/2024

Case Closed: Yes

Close Date: 06-07-2010

Case Type: Civil (Civil_othr)

Mediation: No

HIGH ROCK LAKE PARTNERS, LLC,
A North Carolina Limited Liability Company,
Petitioner,

V

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION,
Respondent.

Docket Date: 01-29-2009	File Date: 01-21-2009	File Time: 12:03	Acquired Date: 01-21-2009
Bond Collected: Yes	Docket Fee: Yes	Pauper: No	Print Deposit: No
			State Appeals: No

History

Venue: Mecklenburg (26) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Mecklenburg (26)

Judge: Forrest Donald Bridges

Case #: 07CVS18706

Tracking/Argue

Argue Date: 08-19-2009 #

Opinion

Opinion Date: 05-18-2010 **Cert Date:** 06-07-2010

Author: Honorable Martha A. Geer

Decision: Vacated and remanded

Opinion Notes:

Opinion Pages: 20 **Opinion Cost:** \$ 4.00

Cite: 204 NC App 55

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=5227>

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	01-21-2009	01-16-2009				01-30-2009		
(2) MOTION	02-26-2009	02-25-2009					Allowed	02-26-2009
(3) APPELLANT BRIEF	03-12-2009	03-09-2009				03-19-2009		
(4) INFORM SHT	03-12-2009	03-09-2009						
(5) MOTION	04-09-2009	04-09-2009					Allowed	04-13-2009
(6) MOTION	04-23-2009	04-23-2009		05-07-2009	05-11-2009		Denied	05-18-2010
(7) APPELLEE BRIEF	04-23-2009	04-23-2009				04-27-2009		
(8) M-GEN	08-11-2009	08-11-2009					Allowed	08-18-2009

1 - RECORD

Filed: 01-21-2009 @ 12:03:00

FOR: Intervenor John Dolven, M.D.

BY : Mr. Craig D. Justus

THE VAN WINKLE LAW FIRM

2 - MOTION (Allowed) - 02-26-2009

Filed: 02-26-2009 @ 12:00:00

FOR: Intervenor John Dolven, M.D.

BY : Mr. Craig D. Justus

THE VAN WINKLE LAW FIRM

The following order was entered:

The motion filed in this cause on the 26th day of February 2009 and designated Appellant John M. Dolven's Motion for Enlargement of Time to File Brief is allowed. The brief of plaintiff-appellant John M. Dolven shall be filed on or before 9 March 2009.

By order of the Court this the 26th day of February 2009.

3 - APPELLANT BRIEF

Filed: 03-12-2009 @ 12:39:00

FOR: Intervenor John Dolven, M.D.

BY : Mr. Craig D. Justus

THE VAN WINKLE LAW FIRM

4 - AIS INFORM SHT

Filed: 03-12-2009 @ 12:38:00

FOR: Intervenor John Dolven, M.D.

BY : Mr. Craig D. Justus

THE VAN WINKLE LAW FIRM

5 - MOTION (Allowed) - 04-13-2009

Filed: 04-09-2009 @ 12:00:00

FOR: Respondent NC Department of Transportation

BY : Mr. James M. Stanley, Jr.

The following order was entered:

The motion filed in this cause on the 9th day of April 2009 and designated Motion for Extension of Time to File and Serve Respondent-Appellee's Brief is allowed. Respondent-appellee's brief shall be filed on or before 23 April 2009.

By order of the Court this the 13th day of April 2009.

6 - MOTION (Denied) - 05-18-2010
 Filed: 04-23-2009 @ 12:00:00
 FOR: Respondent NC Department of Transportation
 BY : Mr. James M. Stanley, Jr.

The following order was entered:

The motion filed in this cause on the 23rd of April 2009 and designated 'Department of Transportation's Motion to Dismiss Interlocutory Appeal' is denied in accordance with the opinion.

By order of the Court this the 18th of May 2010.

RESPONSE TO MOTION
 Filed: 05-11-2009
 BY :

7 - APPELLEE BRIEF
 Filed: 04-23-2009 @ 09:05:00
 FOR: Respondent NC Department of Transportation
 BY : Mr. James M. Stanley, Jr.

8 - MOTION TO AMEND RECORD ON APPEAL (Allowed) - 08-18-2009
 Filed: 08-11-2009 @ 15:08:57
 FOR: Intervenor John Dolven, M.D.
 BY : Mr. Craig D. Justus
 THE VAN WINKLE LAW FIRM

The following order was entered:

The motion filed in this cause on the 11th of August 2009 and designated 'Motion to Amend Record on Appeal' is allowed.

By order of the Court this the 18th of August 2009.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
04-27-2009	Printing	117.25	117.25	APPELLEE BRIEF	67	R042048709	06-01-2009
05-18-2010	Assess	489.75	489.75			R062035410	06-22-2010
01-21-2009	Docket Fee	10.00	10.00			R012055709	01-29-2009
01-21-2009	Bond	250.00	250.00			R012055709	01-29-2009
01-30-2009	Printing	395.50	392.00	RECORD	226	R012058209	01-30-2009
01-30-2009	Balance	3.50	3.50	RECORD	226	R012058309	04-08-2009
03-19-2009	Printing	75.25	75.25	APPELLANT BRIEF	43	R032035609	04-08-2009

Payments

Payment Date	Payment Type	Amount	Check Number
06-25-2010	Disburse	730.75	34721

Exhibits

Parties

Party Name	Role
NC Department Of Transportation	Respondent-Appellee
John Dolven, M.D.	
NC Department of Transportation	
High Rock Lake Partners	Petitioner-Appellee
Dolven, John (M.D.)	Intervenor-Appellant

Attorneys

Attorney for Intervenor - John Dolven, M.D.

Mr. Craig D. Justus [Primary Attorney]

Attorney at Law

cjustus@vwlawfirm.com

THE VAN WINKLE LAW FIRM

P.O. Box 7376

Asheville, NC 28802

(828) 258-2991

Attorney for Respondent - NC Department of Transportation

Mr. James M. Stanley, Jr. [Primary Attorney]

Special Deputy Attorney General

jstanley@ncdoj.gov

Mr. Scott K. Beaver

Assistant Attorney General

skbeaver@ncdoj.gov

N.C. DEPARTMENT OF JUSTICE

P.O. Box 629

Raleigh, NC 27602

(919) 707-4480