

# North Carolina Court of Appeals

## Docket Sheet

Phillips v N.C. DOT

**Case Number:** 09-100

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

**Case Closed:** Yes

**Close Date:** 11-23-2009

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

**Mediation:** No

JUSTIN PHILLIPS, by and  
Through His Guardian Ad Litem,  
TERESA BATES,  
Plaintiff,

V

N.C. DEPARTMENT OF  
TRANSPORTATION,  
Defendant.

**Docket Date:** 01-29-2009

**File Date:** 01-23-2009

**File Time:** 08:00

**Acquired Date:** 01-23-2009

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** ~

### History

**Venue:** N.C. Industrial Commission (204)

**Heard In:** N.C. Insurance Commission

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: N.C. Industrial Commission (204)

Judge:

Case #: TA17520

### Tracking/Argue

**Argue Date:** 08-31-2009 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 11-03-2009

Cert Date: 11-23-2009

Author: Honorable Wanda G. Bryant

Decision: Affirmed

Opinion Notes:

Opinion Pages: 15

Opinion Cost: \$ 3.00

Cite: 200 NC App 550

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=5254>

### 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	01-23-2009	01-09-2009				01-30-2009		
(2) MOTION	03-02-2009	02-27-2009					Allowed	03-02-2009
(3) APPELLANT BRIEF	03-17-2009	03-12-2009				03-19-2009		
(4) MOTION	04-07-2009	04-07-2009					Allowed	04-08-2009
(5) APPELLEE BRIEF	05-04-2009	05-04-2009				05-07-2009		

**1 - RECORD**

Filed: 01-23-2009 @ 08:00:00

FOR: Plaintiff-Appellant Teresa Bates, ex rel

BY : Mr. Jonathan S. Dills

**2 - MOTION (Allowed) - 03-02-2009**

Filed: 03-02-2009 @ 12:00:00

FOR: Plaintiff-Appellant Teresa Bates, ex rel

BY : Mr. Jonathan S. Dills

The following order was entered:

The motion filed in this cause on the 2nd day of March 2009 and designated Motion for Extension of Time to Serve Plaintiff-Appellant's Brief is allowed in part. Plaintiff-appellant's brief shall be filed on or before 12 March 2009. See N.C.R. App. P. 27(c).

By order of the Court this the 2nd day of March 2009.

**3 - APPELLANT BRIEF**

Filed: 03-17-2009 @ 07:53:00

FOR: Plaintiff-Appellant Teresa Bates, ex rel

BY : Mr. Jonathan S. Dills

**4 - MOTION (Allowed) - 04-08-2009**

Filed: 04-07-2009 @ 12:00:00

FOR: Defendant-Appellee N.C. DOT

BY : Ms. Tina Lloyd Hlabse

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 7th day of April 2009 and designated Motion for Extension of Time is allowed in part. Defendant-appellee's brief shall be filed on or before 3 May 2009.

By order of the Court this the 8th day of April 2009.

**5 - APPELLEE BRIEF**

Filed: 05-04-2009 @ 16:21:00

FOR: Defendant-Appellee N.C. DOT

BY : Ms. Tina Lloyd Hlabse

N.C. DEPARTMENT OF JUSTICE

<b>Financial Information</b>
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<b>Receipts</b>
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Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
05-07-2009	Printing	33.25	33.25	APPELLEE BRIEF	19	R082111109	08-01-2009
01-23-2009	Docket Fee	10.00	10.00			R012055909	01-29-2009
01-23-2009	Bond	250.00	250.00			R012055909	01-29-2009

01-30-2009	Printing	89.25	85.75	RECORD	51	R012058709	01-30-2009
01-30-2009	Balance	3.50	3.50	RECORD	51	R012058809	05-18-2009
03-19-2009	Printing	155.75	155.75	APPELLANT BRIEF	89	R032035709	05-18-2009

### Payments

Payment Date	Payment Type	Amount	Check Number
11-06-2009	Disburse	33.25	34126
11-06-2009	Disburse	207.75	34127

### Exhibits

### Parties

Party Name	Role
N.C. Department of Transportation	Defendant-Appellee
Teresa Bates, ex rel	Plaintiff-Appellant
N.C. DOT	Defendant-Appellee
Phillips, Justin	Plaintiff-Appellant
Bates, Teresa (GAL)	Plaintiff-Appellant

### Attorneys

#### Attorney for Plaintiff-Appellant - Teresa Bates, ex rel

Mr. Jonathan S. Dills [Primary Attorney]  
 Attorney at Law  
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#### Attorney for Defendant-Appellee - N.C. DOT

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