

# North Carolina Court of Appeals

## Docket Sheet

Turner, et al v NC DOT

**Case Number:** 11-1514

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

**Case Closed:** Yes

**Close Date:** 10-22-2012

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

**Mediation:** No

BERTHA TURNER, Administrator for  
the Estate of CLINTON HARMON,  
Plaintiff

v.

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION  
Defendant,

and

KARIA HAWKINS, Administor for  
the Estate of DAMIEN S. HAWKINS,  
Plaintiff,

v.

NORTH CAROLINA DEPARMENT OF  
TRANSPORTATION,  
Defendant.

**Docket Date:** 12-15-2011

**File Date:** 12-12-2011

**File Time:** 08:34

**Acquired Date:** 12-12-2011

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** ~

### History

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

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

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: N.C. Industrial Commission (204)

Judge:

Case #: TA-19372 TA-19373

### Tracking/Argue

**Argue Date:** 05-23-2012 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 10-02-2012

Cert Date: 10-22-2012

Author: Honorable Wanda G. Bryant

Decision: Affirmed

Opinion Notes:

Opinion Pages: 19

Opinion Cost: \$ 3.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=28718>**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	12-12-2011	12-08-2011				12-16-2011		
(2) M-EXT-BR	01-06-2012	01-06-2012					Allowed	01-10-2012
(3) APPELLANT BRIEF	02-13-2012	02-06-2012				02-14-2012		
(4) INFORM SHT	02-13-2012	02-06-2012						
(5) M-EXT-BR	02-17-2012	02-17-2012					Allowed	02-20-2012
(6) M-GEN	03-13-2012	03-08-2012					Allowed	03-13-2012
(7) APPELLEE BRIEF	04-09-2012					04-10-2012		

**1 - RECORD**

Filed: 12-12-2011 @ 08:34:00

FOR: Appellant Turner, Bertha, et al

BY : Mr. Alvin L. Pittman

LAW OFFICES OF ALVIN L. PITTMAN

**2 - M-EXT-BR (Allowed) - 01-10-2012**

Filed: 01-06-2012 @ 15:17:24

FOR: Appellant Turner, Bertha, et al

BY : Mr. Alvin L. Pittman

LAW OFFICES OF ALVIN L. PITTMAN

The following order was entered:

The motion filed in this cause on the 6th of January 2012 and designated 'Plaintiffs-Appellants' Motion for Extension of Time to File Appellants' Opening Brief' is allowed. Plaintiff-appellants' brief shall be filed on or before 6 February 2012.

By order of the Court this the 10th of January 2012.

**3 - APPELLANT BRIEF**

Filed: 02-13-2012 @ 08:00:00

FOR: Appellant Turner, Bertha, et al

BY : Mr. Alvin L. Pittman

LAW OFFICES OF ALVIN L. PITTMAN

**4 - AIS INFORM SHT**

Filed: 02-13-2012 @ 08:00:00

FOR: Appellant Turner, Bertha, et al

BY : Mr. Alvin L. Pittman

LAW OFFICES OF ALVIN L. PITTMAN

**5 - M-EXT-BR (Allowed) - 02-20-2012**

Filed: 02-17-2012 @ 14:41:23

FOR: Defendant-Appellee N.C. Department of Transportation

BY : Ms. Melody R. Hairston

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 17th of February 2012 and designated 'Motion for Extension of Time' is allowed. Defendant-appellee's brief shall be filed on or before 6 April 2012.

By order of the Court this the 20th of February 2012.

6 - MOTION PLAINTIFFS/APPELLANTS' MOTION FOR PERMISSION TO FILE LATE OR FOR EXTENSION OF TIME TO FILE PLAINTIFFS' EXHIBIT 2 (A DVD) (Allowed) - 03-13-2012  
 Filed: 03-13-2012 @ 07:47:07  
 FOR: Appellant Turner, Bertha, et al  
 BY : Mr. Alvin L. Pittman  
 LAW OFFICES OF ALVIN L. PITTMAN

The following order was entered:

The motion filed in this cause on the 13th of March 2012 and designated 'Plaintiffs/Appellants' Motion for Permission to File Late or for Extension of Time to File Plaintiffs' Exhibit 2 (a DVD)' is allowed. The attached DVD (plaintiff's Exhibit 2) is deemed timely filed.

By order of the Court this the 13th of March 2012.

7 - APPELLEE BRIEF  
 Filed: 04-09-2012 @ 11:15:41  
 FOR: Defendant-Appellee N.C. Department of Transportation  
 BY : Ms. Melody R. Hairston  
 N.C. DEPARTMENT OF JUSTICE

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
05-07-2012	Printing	50.75	50.75	APPELLEE BRIEF	29	R052054212	05-24-2012
12-15-2011	Docket Fee	10.00	10.00			R122014911	12-15-2011
12-15-2011	Bond	250.00	250.00			R122014911	12-15-2011
12-16-2011	Printing	297.50	297.50	RECORD	170	R012002812	01-04-2012
02-14-2012	Printing	75.25	75.25	APPELLANT BRIEF	43	R032012212	03-12-2012

#### Payments

Payment Date	Payment Type	Amount	Check Number
10-23-2012	Disburse	50.75	37819
10-23-2012	Disburse	190.25	37820

### Exhibits

#### Transcript(s) Electronically Filed

Transcript-Damian S. Hawkins v. North Carolina Department of Transportation-October 26 2010-Vol I.pdf

### Parties

Party Name	Role
Turner, Bertha	Plaintiff-Appellant
Harmon, Clinton (Estate of)	Plaintiff-Appellant
Hawkins, Karia	Plaintiff-Appellant
Hawkins, Damien S.	Plaintiff-Appellant

N.C. Department of Transportation

Defendant-Appellee

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**A t t o r n e y s**

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**Attorney for Appellant - Turner, Bertha, et al**

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**Attorney for Defendant-Appellee - N.C. Department of Transportation**

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N.C. DEPARTMENT OF JUSTICE

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