

North Carolina Court of Appeals

Docket Sheet

D.O.T. v Nance Management Company

Case Number: 12-1113

As of: 05/01/2024

Case Closed: Yes **Close Date:** 02-08-2013 **Case Type:** Civil (Civil_othr) **Mediation:** No

DEPARTMENT OF TRANSPORTATION,
Plaintiff

V

NANCE MANAGEMENT COMPANY, LLC,
Defendant.

Docket Date: 09-19-2012 **File Date:** 09-19-2012 **File Time:** 10:15 **Acquired Date:** 09-14-2012
Bond Collected: No **Docket Fee:** Yes **Pauper:** No **Print Deposit:** No **State Appeals:** Yes

History

Venue: Cumberland (14) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Cumberland (14)

Judge: Thomas H. Lock

Case #: 10CVS276

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	09-19-2012	09-14-2012				09-20-2012		
(2) INFORM SHT	10-01-2012	09-27-2012						
(3) M-GEN	10-04-2012	10-04-2012		10-16-2012	10-15-2012		Allowed	10-17-2012
(4) M-GEN	10-11-2012	10-11-2012					Allowed	10-12-2012
(5) M-GEN	11-19-2012	11-19-2012					Allowed	11-20-2012
(6) M-GEN	11-29-2012	11-29-2012					Other	12-04-2012
(7) M-GEN	02-06-2013	02-06-2013					Allowed	02-08-2013

1 - RECORD

Filed: 09-19-2012 @ 10:15:35

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

2 - AIS INFORM SHT

Filed: 10-01-2012 @ 08:25:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

3 - MOTION APPELLEE'S MOTION TO DISMISS AND MEMORANDUM OF LAW IN SUPPORT (Allowed) - 10-17-2012

Filed: 10-04-2012 @ 15:49:46

FOR: Defendant-Appellee Nance Management Company, LLC

BY : Mr. William O. Richardson

THE RICHARDSON FIRM

The following order was entered:

The motion filed in this cause on the 4th of October 2012 and designated 'Appellee's Motion to Dismiss and Memorandum of Law in Support' is decided as follows: The appeal in COA12-1113 and the appeal from the 30 August 2012 order are to be consolidated for the purpose of hearing only.

By order of the Court this the 17th of October 2012.

RESPONSE TO MOTION APPELLEE'S MOTION TO DISMISS AND MEMORANDUM OF LAW IN SUPPORT

Filed: 10-15-2012

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

4 - MOTION PLAINTIFF'S MOTION FOR EXTENSION OF TIME FOR ITS APPELLANT'S BRIEF (Allowed) - 10-12-2012

Filed: 10-11-2012 @ 07:58:47

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 11th of October 2012 and designated 'Plaintiff's Motion for Extension of Time for Its Appellant's Brief' is allowed. Plaintiff-appellant's brief shall be filed on or before 21 November 2012.

By order of the Court this the 12th of October 2012.

5 - MOTION PLAINTIFF'S 2D MOTION FOR EXTENSION OF TIME FOR ITS APPELLANT'S BRIEF (Allowed) - 11-20-2012

Filed: 11-19-2012 @ 16:10:20

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 19th of November 2012 and designated 'Plaintiff's 2d Motion for Extension of Time for its Appellant's Brief' is allowed. Plaintiff appellant's brief shall be filed on or before 31 December 2012.

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

6 - MOTION PLAINTIFF'S AND DEFENDANT'S JOINT MOTION FOR DISMISSAL OF APPEAL, SUBJECT TO CERTAIN CONDITIONS (Other) - 12-04-2012

Filed: 11-29-2012 @ 08:43:08

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 29th of November 2012 and designated 'Plaintiff's and Defendant's Joint Motion for Dismissal of Appeal, Subject to Certain Conditions' is decided as follows: Upon joint motion of the parties, this matter is remanded to the trial court for entry of the consent judgment and for such further proceedings as may be required to effectuate the terms and conditions thereof. Upon completion of all matters and no later than 31 January 2013, the parties are directed to notify this Court that the appeal is to be withdrawn.

By order of the Court this the 4th of December 2012.

7 - MOTION PLAINTIFF'S WITHDRAWAL OF ITS APPEAL; AND NOTIFICATION OF SUCH WITHDRAWAL (Allowed) - 02-08-2013

Filed: 02-06-2013 @ 09:43:34

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. J. Aldean Webster, III

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 6th of February 2013 and designated 'Plaintiff's Withdrawal of its Appeal; and Notification of Such Withdrawal' 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 8th of February 2013.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
09-19-2012	Docket Fee	10.00	10.00			R092018712	09-19-2012
10-09-2012	Printing	154.00	154.00	RECORD	88	R122041012	12-14-2012
02-08-2013	Assess	9.00	9.00			R032006513	03-08-2013

Exhibits

Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellant
Nance Management Company, LLC	Defendant-Appellee

Attorneys

Attorney for Plaintiff-Appellant - Department of Transportation

Mr. J. Aldean Webster, III [Primary Attorney]

Special Deputy Attorney General

jwebster@ncdoj.gov

Mr. Gaines M. Weaver

Assistant Attorney General

Gweaver@ncdoj.gov

N.C. DEPARTMENT OF JUSTICE

P.O. Box 629

Raleigh, NC 27602

(919) 733-3316

Attorney for Defendant-Appellee - Nance Management Company, LLC

Mr. William O. Richardson [Primary Attorney]

billy@therichardsonfirm.com

Mr. Matthew H. Richardson [Primary Attorney]

Attorney at Law

matt@therichardsonfirm.com

THE RICHARDSON FIRM

P.O. Drawer 87530

Fayetteville, NC 28304

(910) 488-5050
