

# North Carolina Court of Appeals

## Docket Sheet

### People For The Ethical Treatment Of Animals, Inc. v Myers

**Case Number:** 15-366  
**As of:** 06/24/2018  
**Case Closed:** Yes      **Close Date:** 04-25-2016      **Case Type:** Civil (Civil\_othr)      **Mediation:** No

PEOPLE FOR THE ETHICAL  
TREATMENT OF ANIMALS, INC.,  
JACOB MATTHEW NORRIS, and  
JULIE COVELESKI,  
Plaintiffs/Petitioners,

V

GORDON S. MYERS, EXECUTIVE  
DIRECTOR of the NORTH CAROLINA  
WILDLIFE RESOURCES COMMISSION,  
in his official capacity,  
Defendant/Respondent.

<b>Docket Date:</b>	03-31-2015	<b>File Date:</b>	03-31-2015	<b>File Time:</b>	12:14	<b>Acquired Date:</b>	03-31-2015		
<b>Bond Collected:</b>	No	<b>Docket Fee:</b>	No	<b>Pauper:</b>	No	Print Deposit:	No	<b>State Appeals:</b>	Yes

#### History

**Venue:** Wake (10)      **Heard In:** Superior Courts  
**To SC:**      **From SC:**

#### Lower Court Number(s)

Location: Wake (10)  
Judge: G. Bryan Collins  
Case #: 14CVS10671

#### Tracking/Argue

**Argue Date:** 10-21-2015 #

#### Opinion

Opinion Date: 04-05-2016      Cert Date: 04-25-2016  
Author: Honorable Donna Stroud  
Decision: Dismissed  
Opinion Notes:  
Opinion Pages: 8      Opinion Cost: \$ 1.60  
Cite:  
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=33457>

#### 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	03-31-2015	03-31-2015			04-01-2015		
(2) M-GEN	04-07-2015	04-07-2015				Allowed	04-08-2015
(3) ADDENDUM	04-08-2015				04-14-2015		
(4) NOTICE OF APPEARANCE	04-14-2015	04-08-2015					
(5) M-GEN	04-29-2015	04-29-2015				Allowed	04-29-2015
(6) M-GEN	05-22-2015	05-22-2015		06-04-2015		Allowed	06-02-2015
(7) APPELLANT BRIEF	06-01-2015				06-02-2015		
(8) M-EXT-RS	06-03-2015	06-03-2015				Allowed	06-04-2015
(9) INFORM SHT	06-01-2015						
(10) M-EXT-BR	07-31-2015	07-31-2015				Denied	08-04-2015
(11) M-GEN	08-03-2015	08-03-2015				Allowed	08-04-2015
(12) APPELLEE BRIEF	08-12-2015				08-13-2015		
(13) REPLY	08-26-2015				08-27-2015		

**1 - RECORD**

Filed: 03-31-2015 @ 12:14:00

FOR: Appellant Myers, Gordon S. (Executive Director), et al

BY : Ms. Susannah P. Holloway

N.C. DEPARTMENT OF JUSTICE

**2 - MOTION MOTION TO CORRECT THE RECORD ON APPEAL SO THAT THE INDEX TO THE RECORD DISPLAYS THE RECORD PAGE NUMBERS FOR THE DOCUMENTS COMPRISING THE RECORD (Allowed) - 04-08-2015**

Filed: 04-07-2015 @ 15:54:29

FOR: Appellant Myers, Gordon S. (Executive Director), et al

BY : Ms. Susannah P. Holloway

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 7th of April 2015 and designated 'Motion to Correct the Record on Appeal so That the Index to the Record Displays the Record Page Numbers for the Documents Comprising the Record' is allowed. The attached addendum to the record on appeal shall be printed.

By order of the Court this the 8th of April 2015.

**3 - RECORD**

Filed: 04-08-2015 @ 12:17:13

FOR: Appellant Myers, Gordon S. (Executive Director), et al

BY : Ms. Susannah P. Holloway

N.C. DEPARTMENT OF JUSTICE

**4 - NOTICE OF APPEARANCE**

Filed: 04-14-2015 @ 11:59:09

FOR: Appellee People For The Ethical Treatment Of Animals, Inc., et al

BY : Ms. Kelly Margolis Dagger

ELLIS &amp; WINTERS LLP

**5 - MOTION MOTION FOR EXTENSION OF TIME TO FILE BRIEF FOR THE RESPONDENT-APPELLANTS (Allowed) - 04-29-2015**

Filed: 04-29-2015 @ 09:49:54

FOR: Appellant Myers, Gordon S. (Executive Director), et al

BY : Ms. Susannah P. Holloway

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 29th of April 2015 and designated 'Motion for Extension of Time to File Brief for the Respondent-Appellants' is allowed. Respondent-appellants' brief shall be filed on or before 1 June 2015.

By order of the Court this the 29th of April 2015.

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6 - MOTION APPELLANTS' MOTION TO SUPPLEMENT THE RECORD (Allowed) - 06-02-2015

Filed: 05-22-2015 @ 16:08:44

FOR:

BY : Ms. Tamara S. Zmuda  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 22nd of May 2015 and designated 'Appellants' Motion to Supplement the Record' is allowed contingent upon counsel filing two additional copies of the attached supplement on or before 15 June 2015. See N.C.R. App. P. 9(b)(5)(a).

By order of the Court this the 2nd of June 2015.

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7 - APPELLANT BRIEF

Filed: 06-01-2015 @ 14:53:50

FOR: Appellant Myers, Gordon S. (Executive Director), et al

BY : Ms. Susannah P. Holloway  
N.C. DEPARTMENT OF JUSTICE

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8 - MOTION FOR EXTENSION OF TIME TO FILE RESPONSE (Allowed) - 06-04-2015

Filed: 06-03-2015 @ 12:45:13

FOR: Appellee People For The Ethical Treatment Of Animals, Inc., et al

BY : Ms. Kelly Margolis Dagger  
ELLIS & WINTERS LLP

The following order was entered:

The motion filed in this cause on the 3rd of June 2015 and designated 'Petitioners-Appellees' Motion for Enlargement of Time for Filing Brief' is allowed. Petitioner-appellees' brief shall be filed on or before 5 August 2015.

By order of the Court this the 4th of June 2015.

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9 - AIS

Filed: 06-01-2015 @ 14:52:08

FOR:

BY : Ms. Tamara S. Zmuda  
N.C. DEPARTMENT OF JUSTICE

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10 - MOTION FOR EXTENSION OF TIME TO FILE BRIEF (Denied) - 08-04-2015

Filed: 07-31-2015 @ 11:50:55

FOR: Appellee People For The Ethical Treatment Of Animals, Inc., et al

BY : Ms. Kelly Margolis Dagger  
ELLIS & WINTERS LLP

The following order was entered:

The motion filed in this cause on the 31st of July 2015 and designated 'Petitioners-Appellees' Motion for Enlargement of Time for Filing Brief' is denied.

By order of the Court this the 4th of August 2015.

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11 - MOTION PETITIONERS-APPELLEES' MOTION FOR RECONSIDERATION OF MOTION OF ENLARGEMENT OF TIME FOR FILING BRIEF (Allowed) - 08-04-2015

Filed: 08-03-2015 @ 17:15:54

FOR: Appellee People For The Ethical Treatment Of Animals, Inc., et al

BY : Ms. Kelly Margolis Dagger  
ELLIS & WINTERS LLP

The following order was entered:

The motion filed in this cause on the 3rd of August 2015 and designated 'Petitioners-Appellees' Motion for Reconsideration of Motion of Enlargement of Time for Filing Brief' is allowed. Petitioner-appellees' brief shall be filed on or before 12 August 2015. See N.C.R. App. P. 27(c).

By order of the Court this the 4th of August 2015.

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12 - APPELLEE BRIEF

Filed: 08-12-2015 @ 17:18:04

FOR: Appellee People For The Ethical Treatment Of Animals, Inc., et al

BY : Mr. Jonathan D. Sasser  
ELLIS & WINTERS LLP

13 - APPELLANT BRIEF  
 Filed: 08-26-2015 @ 14:24:31  
 FOR: Appellant Myers, Gordon S. (Executive Director), et al  
 BY : Ms. Susannah P. Holloway  
 N.C. DEPARTMENT OF JUSTICE

**Financial Information**

**Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-13-2015	Printing	171.50	171.50	APPELLEE BRIEF	98	R082015615	08-20-2015
03-31-2015	Docket Fee	10.00	10.00			R042045015	04-29-2015
05-08-2015	Printing	246.75	246.75	RECORD	141	R052038815	05-29-2015
05-08-2015	Printing	8.75	8.75	RECORD	5	R052040915	05-29-2015
07-02-2015	Printing	38.50	38.50	APPELLANT BRIEF	22	R112005715	11-05-2015
09-04-2015	Printing	33.25	33.25	APPELLANT BRIEF	19	R092039115	09-25-2015
04-05-2016	Assess	180.50	180.50			R052009316	05-12-2016

**Payments**

Payment Date	Payment Type	Amount	Check Number
05-25-2016	Disburse	171.50	41479

**Exhibits**

Rule 11(c) Supplement; Pgs 1-292 (3 Copies)  
 Rule 9(b) (5) Supplement to the Record on Appeal filed 6-2-15 (3 copies)

**Parties**

Party Name	Role
People For The Ethical Treatment Of Animals, Inc.	Plaintiff-Appellee
Norris, Jacob Matthew	Plaintiff-Appellee
Coveleski, Julie	Plaintiff-Appellee
Myers, Gordon S. (Executive Director)	Defendant-Appellant
North Carolina Wildlife Resources Commission	Defendant-Appellant

**Attorneys**

**Attorney for Appellant - Myers, Gordon S. (Executive Director), et al**

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