

# North Carolina Court of Appeals

## Docket Sheet

WidenI77 v. NC Dep't of Transp.

**Case Number:** 16-818

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

**Case Closed:** Yes

**Close Date:** 05-22-2017

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

**Mediation:** No

WIDENI77,  
Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION, and I-77  
MOBILITY PARTNERS LLC, and  
STATE OF NORTH CAROLINA,  
Defendants.

<b>Docket Date:</b> 08-22-2016	<b>File Date:</b> 08-19-2016	<b>File Time:</b> 11:31	<b>Acquired Date:</b> 08-19-2016
<b>Bond Collected:</b> Yes	<b>Docket Fee:</b> Yes	<b>Pauper:</b> No	<b>Print Deposit:</b> No
			<b>State Appeals:</b> No

### History

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

**To SC:** **From SC:**

### Lower Court Number(s)

**Location:** Mecklenburg (26)

**Judge:** W. Osmond Smith III

**Case #:** 15CVS1076

### Tracking/Argue

**Argue Date:** 02-08-2017 #

### Opinion

**Opinion Date:** 05-02-2017 **Cert Date:** 05-22-2017

**Author:** Honorable Ann Marie Calabria

**Decision:** Affirmed

**Opinion Notes:**

**Opinion Pages:** 24 **Opinion Cost:** \$ 4.80

**Cite:**

**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=2&pdf=35124>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brt Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) RECORD	08-19-2016	08-18-2016				08-24-2016		
(2) INFORM SHT	09-16-2016							
(3) M-GEN	09-21-2016	09-21-2016					Allowed	09-23-2016
(4) M-GEN	09-21-2016			10-04-2016			Allowed	10-05-2016
(5) APPELLANT BRIEF	09-23-2016					09-26-2016		
(6) M-EXT-BR	10-11-2016	10-11-2016					Allowed	10-12-2016
(7) M-EXT-BR	10-14-2016	10-14-2016					Allowed	10-17-2016
(8) APPELLEE BRIEF	11-28-2016					11-28-2016		
(9) APPELLEE BRIEF	11-28-2016					11-28-2016		
(10) REPLY	12-12-2016					12-13-2016		

## 1 - RECORD

Filed: 08-19-2016 @ 11:31:00  
FOR: Plaintiff-Appellant WidenI77  
BY : Mr. Paul A. Tharp  
ARNOLD & SMITH, PLLC

## 2 - AIS INFORM SHT

Filed: 09-16-2016 @ 08:32:00  
FOR: Plaintiff-Appellant WidenI77  
BY : Mr. Paul A. Tharp  
ARNOLD & SMITH, PLLC

## 3 - MOTION MOTION FOR ADMISSION PRO HAC VICE FOR MITCHELL ALAN KARLAN AND JERILIN BUZZETTA AS COUNSEL FOR DEFENDANT-APPELLEE I-77 MOBILITY PARTNERS LLC (Allowed) - 09-23-2016

Filed: 09-21-2016 @ 11:18:51  
FOR: Defendant-Appellee I-77 Mobility Partners LLC  
BY : Mr. Michael G. Adams  
PARKER POE ADAMS & BERNSTEIN LLP

The following order was entered:

The motion filed in this cause on the 21st of September 2016 and designated 'Motion for Admission Pro Hac Vice for Mitchell Alan Karlan and Jerilin Buzzetta as Counsel for Defendant-Appellee I-77 Mobility Partners LLC' is allowed. Mitchell Alan Karlan and Jerilin Buzzetta are admitted to practice pro hac vice.

By order of the Court this the 23rd of September 2016.

## 4 - MOTION DEFENDANT-APPELLEE I-77 MOBILITY PARTNERS' MOTION FOR ADDITION TO RECORD ON APPEAL (Allowed) - 10-05-2016

Filed: 09-21-2016 @ 11:54:53  
FOR: Defendant-Appellee I-77 Mobility Partners LLC  
BY : Mr. Michael G. Adams  
PARKER POE ADAMS & BERNSTEIN LLP

The following order was entered:

The motion filed in this cause on the 21st of September 2016 and designated 'Defendant-Appellee I-77 Mobility Partners' Motion for Addition to Record on Appeal' is allowed. Counsel shall make the necessary arrangements with the court reporter to upload the 3 March 2015 Motion Transcript to this Court's e-filing site.

By order of the Court this the 5th of October 2016.

## 5 - APPELLANT BRIEF

Filed: 09-23-2016 @ 16:47:18  
FOR: Plaintiff-Appellant WidenI77  
BY : Mr. Paul A. Tharp  
ARNOLD & SMITH, PLLC

6 - M-EXT-BR (Allowed) - 10-12-2016  
 Filed: 10-11-2016 @ 10:10:28  
 FOR: Appellee North Carolina Department Of Transportation, et al  
 BY : Mr. Scott T. Slusser  
 N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 11th of October 2016 and designated 'Motion for Extension of Time in Which to File the Brief for the North Carolina Department of Transportation and State of North Carolina' is allowed. Appellees North Carolina Department of Transportation and State of North Carolina shall file their brief on or before 28 November 2016.

By order of the Court this the 12th of October 2016.

7 - M-EXT-BR (Allowed) - 10-17-2016  
 Filed: 10-14-2016 @ 15:38:06  
 FOR: Defendant-Appellee I-77 Mobility Partners LLC  
 BY : Mr. Michael G. Adams  
 PARKER POE ADAMS & BERNSTEIN LLP

The following order was entered:

The motion filed in this cause on the 14th of October 2016 and designated 'Defendant-Appellee I-77 Mobility Partners LLC's Consent Motion for Extension of Time to File Brief' is allowed. Defendant-Appellee I-77 Mobility Partners LLC's brief shall be filed on or before 28 November 2016.

By order of the Court this the 17th of October 2016.

8 - APPELLEE BRIEF  
 Filed: 11-28-2016 @ 10:51:56  
 FOR: Appellee North Carolina Department Of Transportation, et al  
 BY : Mr. Scott T. Slusser  
 N.C. DEPARTMENT OF JUSTICE

9 - APPELLEE BRIEF  
 Filed: 11-28-2016 @ 11:32:00  
 FOR: Defendant-Appellee I-77 Mobility Partners LLC  
 BY : Mr. Michael G. Adams  
 PARKER POE ADAMS & BERNSTEIN LLP

10 - APPELLANT BRIEF REPLY  
 Filed: 12-12-2016 @ 16:34:35  
 FOR: Plaintiff-Appellant Widenl77  
 BY : Mr. Paul A. Tharp  
 ARNOLD & SMITH, PLLC

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Chaged	Amount Paid	Document	Pages	Recelpt #	Date Paid
09-23-2016	Pro Hac Vice	225.00	225.00			R092043816	09-23-2016
09-23-2016	Pro Hac Vice	225.00	225.00			R092043816	09-23-2016
11-28-2016	Printing	75.25	75.25	APPELLEE BRIEF	43	R122002216	12-05-2016
12-01-2016	Printing	66.50	66.50	APPELLEE BRIEF	38	R122014216	12-09-2016
08-22-2016	Docket Fee	10.00	10.00			R082039216	08-22-2016
08-22-2016	Bond	250.00	250.00			R082039216	08-22-2016
08-24-2016	Printing	8356.25	8356.25	RECORD	4775	R092004116	09-06-2016
09-26-2016	Printing	82.25	82.25	APPELLANT BRIEF	47	R102002416	10-04-2016
12-13-2016	Printing	42.00	42.00	APPELLANT BRIEF	24	R122041616	12-19-2016

#### Payments

Payment Date	Payment Type	Amount	Check Number
05-23-2017	Disburse	75.25	42553
05-23-2017	Disburse	66.50	42554
05-23-2017	Disburse	99.25	42555

### Exhibits

### Transcript(s) Electronically Filed

edit-widen-i-77-vs.ncdot-i-77-mobility-state-of-nc.pdf  
widen-i-77-vs.mobility-partners-3-3-2015.pdf

### Parties

Party Name	Role
WidenI77	Plaintiff-Appellant
North Carolina Department Of Transportation	Defendant-Appellee
I-77 Mobility Partners LLC	Defendant-Appellee
State of North Carolina	Defendant-Appellee

### Attorneys

#### Attorney for Plaintiff-Appellant - WidenI77

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N.C. DEPARTMENT OF JUSTICE

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