

# North Carolina Court of Appeals

## Docket Sheet

Peyton v. N.C. Dep't of Transp.

**Case Number:** 17-257

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

**Case Closed:** Yes

**Close Date:** 12-11-2017

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

**Mediation:** No

ESTATE OF TAYLOR A. PEYTON, By and Through  
Administrator JOHN PEYTON, and JOHN PEYTON,  
Individually,

Plaintiffs,

v.

N.C. DEPARTMENT OF TRANSPORTATION,  
Defendant.

JOHN PEYTON, as Guardian Ad Litem for JOHN  
PEYTON, II, and JOHN PEYTON, Individually,  
Plaintiffs,

v.

N.C. DEPARTMENT OF TRANSPORTATION,  
Defendant.

**Docket Date:** 03-08-2017

**File Date:** 03-08-2017

**File Time:** 10:11

**Acquired Date:** 03-08-2017

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** No

### 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-21514 TA-21515

### Tracking/Argue

**Argue Date:** 09-19-2017 #

### Opinion

Opinion Date: 11-21-2017

Cert Date: 12-11-2017

Author: Honorable Wanda G. Bryant

Decision: Affirmed

Opinion Notes:

Opinion Pages: 13

Opinion Cost: \$ 2.60

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=35962>**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-08-2017	03-08-2017				03-09-2017		
(2) M-EXT-BR	03-29-2017	03-24-2017					Allowed	03-29-2017
(3) APPELLANT BRIEF	05-10-2017					05-11-2017		
(4) M-EXT-BR	06-07-2017	06-07-2017					Allowed	06-08-2017
(5) APPELLEE BRIEF	07-10-2017					07-11-2017		
(6) REPLY	07-24-2017					07-25-2017		
(7) M-CONTIN	09-01-2017	09-01-2017					Denied	09-06-2017
(8) ADD-AUTH	09-12-2017	09-12-2017						
(9) ADD-AUTH	09-12-2017	09-12-2017						

**1 - RECORD**

Filed: 03-08-2017 @ 10:11:00

FOR: Appellant Peyton, Taylor A. (Estate of), et al

BY : Mr. David J. Ventura  
CRUMLEY ROBERTS, LLP**2 - M-EXT-BR (Allowed) - 03-29-2017**

Filed: 03-29-2017 @ 10:54:33

FOR: Appellant Peyton, Taylor A. (Estate of), et al

BY : Mr. David J. Ventura  
CRUMLEY ROBERTS, LLP

The following order was entered:

The motion filed in this cause on the 29th of March 2017 and designated 'Plaintiffs-Appellants' Motion for Extension of Time to Submit Appellant Brief' is allowed. Plaintiffs-Appellants' brief shall be filed on or before 10 May 2017.

By order of the Court this the 29th of March 2017.

**3 - APPELLANT BRIEF**

Filed: 05-10-2017 @ 17:08:45

FOR: Appellant Peyton, Taylor A. (Estate of), et al

BY : Mr. David J. Ventura  
CRUMLEY ROBERTS, LLP**4 - M-EXT-BR (Allowed) - 06-08-2017**

Filed: 06-07-2017 @ 13:58:05

FOR: Defendant-Appellee NC Department Of Transportation

BY : Ms. Donna B. Wojcik  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 7th of June 2017 and designated 'Defendant-Appellee's Motion for Extension of Time' is allowed. Defendant-Appellee's brief shall be filed on or before 10 July 2017.

By order of the Court this the 8th of June 2017.

**5 - APPELLEE BRIEF**

Filed: 07-10-2017 @ 11:44:57

FOR: Defendant-Appellee NC Department Of Transportation

BY : Ms. Donna B. Wojcik

N.C. DEPARTMENT OF JUSTICE

**6 - APPELLANT BRIEF REPLY**

Filed: 07-24-2017 @ 17:21:55

FOR: Appellant Peyton, Taylor A. (Estate of), et al

BY : Mr. David J. Ventura

CRUMLEY ROBERTS, LLP

**7 - M-CONTIN (Denied) - 09-06-2017**

Filed: 09-01-2017 @ 15:05:00

FOR: Appellant Peyton, Taylor A. (Estate of), et al

BY : Mr. David J. Ventura

CRUMLEY ROBERTS, LLP

The following order was entered:

The motion filed in this cause on the 1st of September 2017 and designated 'Plaintiffs'-Appellants' Motion to Continue Oral Argument' is denied.

By order of the Court this the 6th of September 2017.

**8 - MEMOS ADD-AUTH**

Filed: 09-12-2017 @ 15:57:02

FOR: Defendant-Appellee NC Department Of Transportation

BY : Ms. Donna B. Wojcik

N.C. DEPARTMENT OF JUSTICE

**9 - MEMOS ADD-AUTH**

Filed: 09-12-2017 @ 16:25:24

FOR: Defendant-Appellee NC Department Of Transportation

BY : Ms. Donna B. Wojcik

N.C. DEPARTMENT OF JUSTICE

<b>Financial Information</b>
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<b>Receipts</b>							
<b>Date Charged</b>	<b>Charge Type</b>	<b>Amount Charged</b>	<b>Amount Paid</b>	<b>Document</b>	<b>Pages</b>	<b>Receipt #</b>	<b>Date Paid</b>
08-07-2017	Printing	56.00	56.00	APPELLEE BRIEF	32	R082040017	08-25-2017
03-08-2017	Docket Fee	10.00	10.00			R032015717	03-08-2017
03-08-2017	Bond	250.00	250.00			R032015717	03-08-2017
03-09-2017	Printing	166.25	166.26	RECORD	95	R032039817	03-24-2017
05-11-2017	Printing	71.75	71.75	APPELLANT BRIEF	41	R052049817	05-31-2017
07-25-2017	Printing	24.50	24.50	APPELLANT BRIEF	14	R082003417	08-04-2017

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-07-2017	Printing	56.00	56.00	APPELLEE BRIEF	32	R082040017	08-25-2017
03-08-2017	Docket Fee	10.00	10.00			R032015717	03-08-2017
03-08-2017	Bond	250.00	250.00			R032015717	03-08-2017
03-09-2017	Printing	166.25	166.26	RECORD	95	R032039817	03-24-2017
05-11-2017	Printing	71.75	71.75	APPELLANT BRIEF	41	R052049817	05-31-2017
07-25-2017	Printing	24.50	24.50	APPELLANT BRIEF	14	R082003417	08-04-2017

<b>Payments</b>
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Payment Date	Payment Type	Amount	Check Number
12-11-2017	Disburse	56.00	43119
12-11-2017	Disburse	185.00	43120

<b>Exhibits</b>
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## Transcript(s) Electronically Filed

peyton-v.n.c.dept-of-transp.december-1-2014--volume-i-of-i.pdf  
 peyton-v.n.c.dept-of-transp.december-2-2014--volume-i-of-i.pdf  
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 peyton-v.n.c.dept-of-transp.march-27-2014--volume-i-of-i.pdf

## Parties

Party Name	Role
Peyton, Taylor A. (Estate of)	Plaintiff-Appellant
Peyton, John (Adm./ Ind./GAL)	Plaintiff-Appellant
Peyton, John (II)	Plaintiff-Appellant
NC Department Of Transportation	Defendant-Appellee
Young, Lacy (GAL)	Plaintiff-Appellant
Young, Laura (GAL)	Plaintiff-Appellant

## Attorneys

**Attorney for Appellant - Peyton, Taylor A. (Estate of), et al**

Mr. David J. Ventura [Primary Attorney]

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