

North Carolina Court of Appeals

Docket Sheet

Dep't of Transp. v. Thore

Case Number: 17-1043

As of: 05/01/2024

Case Closed: Yes

Close Date: 04-13-2018

Case Type: Civil (Civil_othr)

Mediation: No

DEPARTMENT OF TRANSPORTATION,
Plaintiff,

v.

BOBBY LEE THORE; DEBORAH
THORE CHARLES and UNKNOWN
HEIRS OF FRANK TRU-CLEAN
AMERICA, LLC,

Defendants.

Docket Date: 09-26-2017

File Date: 09-22-2017

File Time: 03:35

Acquired Date: 09-22-2017

Bond Collected: No

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals: Yes

History

Venue: Forsyth (31)

Heard In: Superior Court

To SC:

From SC:

Lower Court Number(s)

Location: Forsyth (31)

Judge: John O. Craig III

Case #: 17CVS1549

Tracking/Argue

Argue Date: 04-16-2018 (No oral argument by Rule 30(f))

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	09-22-2017	09-25-2017				09-27-2017		
(2) M-EXT-BR	10-24-2017	10-24-2017					Allowed	10-25-2017
(3) APPELLANT BRIEF	11-27-2017	11-27-2017				12-01-2017		
(4) APPELLEE BRIEF	12-27-2017					12-29-2017		
(5) REPLY	01-10-2018	01-10-2018				01-11-2018		
(6) M-GEN	04-11-2018	04-11-2018					Allowed	04-13-2018

1 - RECORD

Filed: 09-22-2017 @ 03:35:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

2 - M-EXT-BR (Allowed) - 10-25-2017

Filed: 10-24-2017 @ 07:48:48

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 24th of October 2017 and designated 'Motion for Extension of Time to File and Serve Appellant's Brief' is allowed. Plaintiff-Appellant's brief shall be filed on or before 27 November 2017.

By order of the Court this the 25th of October 2017.

3 - APPELLANT BRIEF

Filed: 11-27-2017 @ 16:53:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. Steven M. Sartorio

SMITH ANDERSON BLOUNT DORSETT MITCHELL & JERNIGAN, LLP

4 - APPELLEE BRIEF

Filed: 12-27-2017 @ 17:01:53

FOR: Appellee Thore, Bobby Lee, et al

BY : Mr. Matthew H. Bryant

HENDRICK BRYANT NERHOOD SANDERS & OTIS, LLP

5 - APPELLANT BRIEF REPLY

Filed: 01-10-2018 @ 16:38:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. Steven M. Sartorio

SMITH ANDERSON BLOUNT DORSETT MITCHELL & JERNIGAN, LLP

6 - MOTION DEFENDANT-APPELLANT'S MOTION FOR LEAVE TO WITHDRAW APPEALS (Allowed) - 04-13-2018

Filed: 04-11-2018 @ 08:19:45

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 11th of April 2018 and designated 'Defendant-Appellant's Motion for Leave to Withdraw Appeals' is allowed. Appeal dismissed. Appellant to pay costs.

And it is considered and adjudged further, that the Appellant, North Carolina Department of Transportation, do pay the costs of the appeal in this Court incurred, to wit, the sum of Eighty Four Dollars and 25/100 (\$84.25), and execution issue therefor.

By order of the Court this the 13th of April 2018.

Financial Information**Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
09-26-2017	Docket Fee	10.00	10.00			R102010117	10-10-2017
10-03-2017	Printing	556.50	556.50	RECORD	318	R112028317	11-17-2017
04-13-2018	Assess	84.25	84.25			R042050418	04-25-2018
12-01-2017	Printing	124.25	124.25	APPELLANT BRIEF	71	R122012617	12-14-2017
01-11-2018	Printing	49.00	49.00	APPELLANT BRIEF	28	R022001918	02-02-2018
12-29-2017	Printing	75.25	75.25	APPELLEE BRIEF	43	R012045618	01-26-2018

Payments

Payment Date	Payment Type	Amount	Check Number
05-21-2018	Disburse	75.25	43532

Exhibits**Transcript(s) Electronically Filed**

dot-5-30-2017-tues-forsyth-judge-john-o-craig-5c-civil.pdf

Parties

Party Name	Role
Department of Transportation	Plaintiff-Appellant
Thore, Bobby Lee	Defendant-Appellee
Charles, Deborah Thore	Defendant-Appellee
Frank Tru-Clean America, LLC (Unknown Heirs of)	Defendant-Appellee

Attorneys**Attorney for Plaintiff-Appellant - Department of Transportation**

Mr. James M. Stanley, Jr. [Primary Attorney]

Special Deputy Attorney General

jstanley@ncdoj.gov

Mr. J. Aldean Webster, III

Special Deputy Attorney General

jwebster@ncdoj.gov

Ms. Alexandra M. Hightower

Special Deputy Attorney General

ahightower@ncdoj.gov

Mr. William A. Smith

Assistant Attorney General

wsmith@ncdoj.gov

N.C. DEPARTMENT OF JUSTICE

Transportation Section
 1505 Mail Service Center
 Raleigh, NC 27699
 (919) 707-4480

Attorney for Plaintiff-Appellant - Department of Transportation

Mr. William H. Moss [Primary Attorney]

Attorney at Law

wmoss@smithlaw.com

Mr. Steven M. Sartorio

Attorney at Law

ssartorio@smithlaw.com

SMITH ANDERSON BLOUNT DORSETT MITCHELL & JERNIGAN, LLP

P.O. Box 2611

Raleigh, NC 27602

(919) 821-1220

Attorney for Appellee - Thore, Bobby Lee, et al

Mr. Matthew H. Bryant [Primary Attorney]

Attorney at Law

mbryant@hendricklawfirm.com

Mr. T. Paul Hendrick

Attorney at Law

phendrick@hendricklawfirm.com

Mr. Timothy Nerhood

Attorney at Law

tnerhood@hendricklawfirm.com

HENDRICK BRYANT NERHOOD SANDERS & OTIS, LLP

723 Coliseum Drive

Suite 101

Winston-Salem, NC 27106

(336) 723-7200

Attorney for - Frank Tru-Clean America, LLC (Unknown Heirs of)

Mr. Michael D. Baker [Primary Attorney]

Registered Agent

TRU-CLEAN AMERICA

10130 Mallard Creek Rd., Suite 300

Post Office Box 39114

Charlotte, NC 28262
