

# North Carolina Court of Appeals

## Docket Sheet

Dep't of Transp. v. Marshall

**Case Number:** 17-1044

**As of:** 04/30/2024

**Case Closed:** Yes

**Close Date:** 04-13-2018

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

**Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

v.

ANDREW WILLIAM MARSHALL,  
LAURA JANE STYERS,  
JAMES DAVIS MARSHALL,  
JENNIFER ANN HERRIN,  
SUSAN ELIZABETH PHILLIPS,  
Defendants.

**Docket Date:** 09-26-2017

**File Date:** 09-22-2017

**File Time:** 03:36

**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 #: 17CVS1422

**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 @ 03:36:00  
 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 @ 07:53:31  
 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 @ 16:54:00  
 FOR: Plaintiff-Appellant Department of Transportation  
 BY : Mr. James M. Stanley, Jr.  
 N.C. DEPARTMENT OF JUSTICE

4 - APPELLEE BRIEF

Filed: 12-27-2017 @ 17:02:16  
 FOR: Appellee Marshall, Andrew William, et al  
 BY : Mr. Matthew H. Bryant  
 HENDRICK BRYANT NERHOOD SANDERS & OTIS, LLP

5 - APPELLANT BRIEF REPLY

Filed: 01-10-2018 @ 16:39:00  
 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 @ 08:18:31  
 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			R102010417	10-10-2017
10-03-2017	Printing	544.25	544.25	RECORD	311	R112028517	11-17-2017
12-01-2017	Printing	126.00	126.00	APPELLANT BRIEF	72	R012047118	01-26-2018
04-13-2018	Assess	84.25	84.25			R042050518	04-25-2018
01-11-2018	Printing	49.00	49.00	APPELLANT BRIEF	28	R022001618	02-02-2018
12-29-2017	Printing	75.25	75.25	APPELLEE BRIEF	43	R012045518	01-26-2018

**Payments**

Payment Date	Payment Type	Amount	Check Number
05-21-2018	Disburse	75.25	43531

**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
Marshall, Andrew William	Defendant-Appellee
Styers, Laura Jane	Defendant-Appellee
Marshall, James Davis	Defendant-Appellee
Herrin, Jennifer Ann	Defendant-Appellee
Phillips, Susan Elizabeth	Defendant-Appellee

**Attorneys**

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