

North Carolina Court of Appeals

Docket Sheet

Dep't of Transp. v. Miller

Case Number: 17-1045

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.

CARL J. MILLER, as Trustee of the
Carl Junior Miller Revocable Family
Trust; UNKNOWN HEIRS OF FRANK
CARPENTER; and CURTIS CARPENTER,
Defendants.

Docket Date: 09-26-2017

File Date: 09-22-2017

File Time: 03:38

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 #: 17CVS1548

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	10-23-2017	10-23-2017					Allowed	10-24-2017
(3) APPELLANT BRIEF	11-27-2017	11-27-2017				12-01-2017		
(4) APPELLEE BRIEF	12-27-2017					12-29-2017		
(5) REPLY	01-16-2018					01-19-2018		
(6) M-GEN	04-11-2018	04-11-2018					Allowed	04-13-2018

1 - RECORD

Filed: 09-22-2017 @ 03:38:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

2 - M-EXT-BR (Allowed) - 10-24-2017

Filed: 10-23-2017 @ 08:24:39

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 23rd 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 24th of October 2017.

3 - APPELLANT BRIEF

Filed: 11-27-2017 @ 15:03:00

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

4 - APPELLEE BRIEF

Filed: 12-27-2017 @ 16:52:46

FOR: Appellee Miller, Carl J., et al

BY : Mr. Matthew H. Bryant

HENDRICK BRYANT NERHOOD SANDERS & OTIS, LLP

5 - APPELLANT BRIEF REPLY

Filed: 01-16-2018 @ 17:00:59

FOR: Plaintiff-Appellant Department of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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

Filed: 04-11-2018 @ 08:17:02

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			R102010317	10-10-2017
10-03-2017	Printing	544.25	544.25	RECORD	311	R112028417	11-17-2017
01-03-2018	Printing	56.00	56.00	APPELLANT BRIEF	32	R012047018	01-26-2018
02-01-2018	Printing	40.25	40.25	APPELLANT BRIEF	23	R032006918	03-02-2018
04-13-2018	Assess	84.25	84.25			R042050618	04-25-2018
12-29-2017	Printing	75.25	75.25	APPELLEE BRIEF	43	R012046118	01-26-2018

Receipts							
Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
09-26-2017	Docket Fee	10.00	10.00			R102010317	10-10-2017
10-03-2017	Printing	544.25	544.25	RECORD	311	R112028417	11-17-2017
01-03-2018	Printing	56.00	56.00	APPELLANT BRIEF	32	R012047018	01-26-2018
02-01-2018	Printing	40.25	40.25	APPELLANT BRIEF	23	R032006918	03-02-2018
04-13-2018	Assess	84.25	84.25			R042050618	04-25-2018
12-29-2017	Printing	75.25	75.25	APPELLEE BRIEF	43	R012046118	01-26-2018

Payments

Payment Date	Payment Type	Amount	Check Number
05-21-2018	Disburse	75.25	43530

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
Miller, Carl J.	Defendant-Appellee
Carl Junior Miller Revocable Family Trust	Defendant-Appellee
Carpenter, Frank (Unknown Heirs of)	Defendant-Appellee
Carpenter, Curtis	Defendant-Appellee

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

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