

# North Carolina Court of Appeals

## Docket Sheet

In re: L.V. & A.V.

**Case Number:** 18-282

**As of:** 04/25/2024

**Case Closed:** Yes

**Close Date:** 08-15-2018

**Case Type:** Civil (3.1-TPR)

**Mediation:** No

IN THE MATTER OF:

L.V.

A.V.

**Docket Date:** 03-19-2018

**File Date:** 03-16-2018

**File Time:** 09:03

**Acquired Date:** 03-16-2018

**Bond Collected:** No

**Docket Fee:** No

**Pauper:** Yes

Print Deposit: No

**State Appeals:** No

### History

**Venue:** Chatham (18)

**Heard In:** District Court

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: Chatham (18)

Judge: Beverly Scarlett

Case #: 15JT47-48

### Tracking/Argue

**Argue Date:** 06-21-2018 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 07-03-2018

Cert Date: 08-15-2018

Author: Honorable Hunter Murphy

Decision: Dismissed

Opinion Notes:

Opinion Pages: 2

Opinion Cost: \$ 0.40

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=37085>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) RECORD	03-16-2018	03-14-2018						
(2) APPELLANT BRIEF	04-11-2018					04-12-2018		
(3) INFORM SHT	04-11-2018							
(4) APPELLEE BRIEF	04-12-2018					04-13-2018		
(5) APPELLEE BRIEF	05-11-2018	05-11-2018				05-14-2018		

(6) M-EN-BANC-REHEARING	07-16-2018	07-16-2018			see below		Denied	08-15-2018
(7) COURT ORDER	07-17-2018						Other	07-17-2018
(8) M-AMICUS	07-17-2018	07-17-2018					Denied	07-19-2018
(9) M-GEN	07-19-2018	07-19-2018					Allowed	07-23-2018
(10) COURT ORDER	08-24-2018	08-24-2018					Special Order	08-24-2018

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1 - RECORD

Filed: 03-16-2018 @ 09:03:00  
FOR: Respondent-Appellant  
BY : Mr. W. Michael Spivey

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2 - APPELLANT BRIEF

Filed: 04-11-2018 @ 12:35:06  
FOR: Respondent-Appellant  
BY : Mr. W. Michael Spivey

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3 - AIS INFORM SHT

Filed: 04-11-2018 @ 12:36:22  
FOR: Respondent-Appellant  
BY : Mr. W. Michael Spivey

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4 - APPELLEE BRIEF

Filed: 04-12-2018 @ 14:23:05  
FOR: Petitioner-Appellee  
BY : Ms. Deana K. Fleming  
HOLCOMB & STEPHENSON, LLP

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5 - APPELLEE BRIEF

Filed: 05-11-2018 @ 15:54:00  
FOR:  
BY : Ms. Jessica L. Gorczynski  
WOMBLE BOND DICKINSON (US) LLP

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6 - M-EN-BANC-REHEARING (Denied) - 08-15-2018

Filed: 07-16-2018 @ 13:39:38  
FOR: Respondent-Appellant  
BY : Mr. W. Michael Spivey

The following order was entered:

The motion filed in this cause on 16 July 2018 requesting an en banc rehearing is denied. This Court's stay of the mandate entered 17 July 2018 is hereby dissolved, and the mandate shall be deemed issued as of the date of this order.

By order of the Court this the 15th of August 2018.

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RESPONSE TO M-EN-BANC-REHEARING

Filed: 07-23-2018  
BY : Mr. Matthew D. Wunsche  
GUARDIAN AD LITEM'S OFFICE

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RESPONSE TO M-EN-BANC-REHEARING

Filed: 07-25-2018  
BY : Ms. Deana K. Fleming  
HOLCOMB & STEPHENSON, LLP

7 - CT ORDER COURT ORDER (Other) - 07-17-2018  
 Filed: 07-17-2018 @ 12:14:09  
 FOR:  
 BY : Hon. Linda M. McGee

The following Order was entered:

A motion for en banc rehearing was filed in this cause on the 16th day of July 2018. The issuance of the mandate is hereby stayed.

8 - M-AMICUS (Denied) - 07-19-2018  
 Filed: 07-17-2018 @ 15:16:24  
 FOR:  
 BY : Ms. Annick Lenoir-Peek

The following order was entered:

The motion filed in this cause on the 17th of July 2018 and designated 'Motion for Leave to File Amicus Brief' is denied.

By order of the Court this the 19th of July 2018.

9 - MOTION MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL (Allowed) - 07-23-2018  
 Filed: 07-19-2018 @ 15:36:04  
 FOR:  
 BY : Ms. Jessica L. Gorczynski  
 WOMBLE BOND DICKINSON (US) LLP

The following order was entered:

The motion filed in this cause on the 19th of July 2018 and designated 'Motion to Withdraw and Substitute Counsel' is allowed. Jessica Gorczynski is permitted to withdraw as counsel of record, and Matthew D. Wunsche shall be substituted as counsel of record.

By order of the Court this the 23rd of July 2018.

10 - CT ORDER COURT ORDER (Special Order) - 08-24-2018  
 Filed: 08-24-2018 @ 14:40:57  
 FOR:  
 BY : Hon. Linda M. McGee

The following Order was entered:

The Court filed an opinion in this matter on 3 July 2018, which was then certified. The Court subsequently discovered a quotation error which misstates another opinion of this Court but which in no way affects its reasoning or its ruling. For purposes of clarity and accuracy the Court wishes to make the appropriate correction to the opinion without altering or withdrawing the mandate.

It is now therefore ordered that the opinion of this Court filed in this matter on 3 July 2018 be amended to change the quote in footnote 2 from 'Rule 3.1(d) does not grant indigent parents the right to receive an Anders-type review of the record by our Court, to consider issues not properly raised.' to 'Rule 3.1(d) does not explicitly grant indigent parents the right to receive an Anders-type review of the record by our Court, which would allow our Court to consider issues not explicitly raised on appeal.' The Mandate of the Court which issued on 15 August 2018 and any deadlines pertaining thereto shall hereby remain in effect.

## Financial Information

### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
05-07-2018	Printing	50.75	50.75	APPELLANT BRIEF	29	R052018018	05-11-2018
	Assess	9.00	0.00				
06-06-2018	Printing	10.50	10.50	APPELLEE BRIEF	6	R062027718	06-15-2018
05-07-2018	Printing	28.00	28.00	APPELLEE BRIEF	16	R052020018	05-11-2018

**Exhibits**

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**Transcript(s) Electronically Filed**

transcript-in-re-lv-and-av-november-7-2017-volume-i-of-i.pdf

**Parties**

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Parties Restricted

**Attorneys**

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