

# North Carolina Court of Appeals

## Docket Sheet

Dep't of Transp. v. Hutchinsons, LLC

**Case Number:** 18-675

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

**Case Closed:** Yes

**Close Date:** 05-28-2019

**Case Type:** Civil (Tort, Contract, Real Property)

**Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

v.

HUTCHINSONS, LLC,  
Defendant.

**Docket Date:** 06-29-2018

**File Date:** 06-29-2018

**File Time:** 09:19

**Acquired Date:** 06-29-2018

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** -

### History

**Venue:** Wilkes (34)

**Heard In:** Superior Court

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: Wilkes (34)

Judge: Susan E. Bray

Case #: 15CVS1056

### Tracking/Argue

**Argue Date:** 01-16-2019 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 05-07-2019

Cert Date: 05-28-2019

Author: Honorable Chris Dillon

Decision: Affirmed

Opinion Notes:

Opinion Pages: 14

Opinion Cost: \$ 2.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=37627>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brief Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	06-29-2018	06-28-2018				07-03-2018		
(2) APPELLANT BRIEF	08-09-2018	08-06-2018				08-09-2018		

(3) INFORM SHT	08-09-2018	08-05-2018						
(4) M-DSSAPP	08-13-2018	08-13-2018		08-26-2018			Denied	08-30-2018
(5) M-EXT-BR	08-14-2018	08-14-2018					Allowed	08-30-2018
(6) APPELLEE BRIEF	09-10-2018	09-10-2018				09-11-2018		
(7) REPLY	09-28-2018	09-24-2018				09-28-2018		
(8) M-GEN	10-10-2018	10-10-2018		10-23-2018			Allowed	05-08-2019
(9) NA-APP	06-12-2019	06-12-2019						

1 - RECORD

Filed: 06-29-2018 @ 09:19:00  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

2 - APPELLANT BRIEF

Filed: 08-09-2018 @ 09:18:00  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

3 - AIS INFORM SHT

Filed: 08-09-2018 @ 09:16:00  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

4 - M-DSSAPP (Denied) - 08-30-2018

Filed: 08-13-2018 @ 07:50:12  
 FOR: Plaintiff-Appellee Department of Transportation  
 BY : Ms. Alexandra M. Hightower  
 NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 13th of August 2018 and designated 'Motion to Dismiss Appeal' is denied.

By order of the Court this the 30th of August 2018.

5 - M-EXT-BR (Allowed) - 08-30-2018

Filed: 08-14-2018 @ 16:31:44  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

The following order was entered:

The motion filed in this cause on the 14th of August 2018 and designated 'Motion for Extension of Time to File Defendant-Appellant's Brief' is allowed. Defendant-appellant's brief is deemed timely filed.

By order of the Court this the 30th of August 2018.

6 - APPELLEE BRIEF

Filed: 09-10-2018 @ 11:25:00  
 FOR: Plaintiff-Appellee Department of Transportation  
 BY : Ms. Alexandra M. Hightower  
 NC DEPARTMENT OF JUSTICE

7 - APPELLANT BRIEF REPLY

Filed: 09-28-2018 @ 09:39:00  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

8 - MOTION MOTION FOR RULE 9(B)(5)(B) ADDITION TO RECORD ON APPEAL (Allowed) - 05-08-2019  
 Filed: 10-10-2018 @ 15:52:58  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

The following order was entered:

The motion filed in this cause on the 10th of October 2018 and designated 'Motion for Rule 9(b)(5)(b) Addition to Record on Appeal' is allowed.

By order of the Court this the 8th of May 2019.

9 - NA-APP  
 Filed: 06-12-2019 @ 08:07:00  
 FOR: Defendant-Appellant Hutchinsons, LLC  
 BY : Ms. Shiloh Daum  
 SEVER-STOREY, LLP

**Financial Information**

**Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
10-08-2018	Printing	91.00	91.00	APPELLEE BRIEF	52	R112003618	11-02-2018
06-29-2018	Docket Fee	10.00	10.00			R062056618	06-29-2018
06-29-2018	Bond	250.00	250.00			R062056618	06-29-2018
07-03-2018	Printing	364.00	364.00	RECORD	208	R082003918	08-07-2018
08-09-2018	Printing	112.00	112.00	APPELLANT BRIEF	64	R092004018	09-06-2018
09-28-2018	Printing	164.50	164.50	APPELLANT BRIEF	94	R102014018	10-16-2018
06-18-2019	Cert Fee	10.00	10.00			R062030219	06-18-2019

**Payments**

Payment Date	Payment Type	Amount	Check Number
06-17-2019	Disburse	91.00	44522
06-17-2019	Disburse	150.00	44523

**Exhibits**

**Transcript(s) Electronically Filed**

dotvsreevesmotionsdecember2017.pdf  
 dotvshutchinsonsllcpretrialmotionsdecember42017-corrected06032018.pdf

**Parties**

Party Name	Role
Department of Transportation	Plaintiff-Appellee
Hutchinsons, LLC	Defendant-Appellant

**Attorneys**

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