

# North Carolina Court of Appeals

## Docket Sheet

**Dep't of Transp. v. Bloomsbury Est., LLC**

**Case Number:** 18-773  
**As of:** 04/30/2024  
**Case Closed:** Yes      **Close Date:** 03-25-2019      **Case Type:** Civil (Tort, Contract, Real Property)      **Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
 Plaintiff,

v.

BLOOMSBURY ESTATES, LLC;  
 BLOOMSBURY ESTATES CONDOMINIUM  
 HOMEOWNERS ASSOCIATION, INC. and  
 COUNTY OF WAKE,  
 Defendants.

**Docket Date:** 07-27-2018      **File Date:** 07-27-2018      **File Time:** 11:16      **Acquired Date:** 07-27-2018  
**Bond Collected:** Yes      **Docket Fee:** Yes      **Pauper:** No      Print Deposit: No      **State Appeals:** No

**History**

**Venue:** Wake (10)      **Heard In:** Superior Court  
**To SC:**      **From SC:**

**Lower Court Number(s)**

**Location:** Wake (10)  
**Judge:** G. Bryan Collins Jr.  
**Case #:** 15CVS9786

**Tracking/Argue**

**Argue Date:** 02-13-2019 (No oral argument by Rule 30(f))

**Opinion**

**Opinion Date:** 03-05-2019      **Cert Date:** 03-25-2019  
**Author:** Honorable John M. Tyson  
**Decision:** Dismissed  
**Opinion Notes:**  
**Opinion Pages:** 16      **Opinion Cost:** \$ 3.20  
**Cite:**  
**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=2&pdf=37795>

**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	07-27-2018	07-24-2018				08-01-2018		
(2) OTHER	07-31-2018							
(3) M-GEN	08-09-2018	08-09-2018					Allowed	08-14-2018
(4) M-EXT-BR	08-27-2018	08-27-2018					Allowed	08-28-2018
(5) APPELLANT BRIEF	09-14-2018					09-17-2018		
(6) M-EXT-BR	10-10-2018	10-11-2018					Allowed	10-11-2018
(7) APPELLEE BRIEF	11-14-2018					11-28-2018		
(8) REPLY	11-28-2018					11-30-2018		

1 - RECORD

Filed: 07-27-2018 @ 11:16:00  
 FOR: Defendant-Appellant Bloomsbury Estates Condominium Homeowners Association, Inc.  
 BY : Ms. Harmony W. Taylor  
 BLACK SLAUGHTER & BLACK P.A.

2 - OTHER

Filed: 07-31-2018 @ 13:18:02  
 FOR:  
 BY : Mr. Douglas W. Corkhill  
 N.C. DEPARTMENT OF JUSTICE

3 - MOTION MOTION FOR LEAVE TO ALLOW APPELLEE WAKE COUNTY TO BE RELIEVED OF THE OBLIGATION TO FILE BRIEF (Allowed) - 08-14-2018

Filed: 08-09-2018 @ 11:50:26  
 FOR: Defendant-Appellee County of Wake  
 BY : Ms. Allison Pope Cooper  
 WAKE COUNTY ATTORNEY'S OFFICE

The following order was entered:

The motion filed in this cause on the 9th of August 2018 and designated 'Motion for Leave to Allow Appellee Wake County to be Relieved of the Obligation to File Brief' is allowed.

By order of the Court this the 14th of August 2018.

4 - M-EXT-BR (Allowed) - 08-28-2018

Filed: 08-27-2018 @ 13:26:32  
 FOR: Defendant-Appellant Bloomsbury Estates Condominium Homeowners Association, Inc.  
 BY : Ms. Harmony W. Taylor  
 BLACK SLAUGHTER & BLACK P.A.

The following order was entered:

The motion filed in this cause on the 27th of August 2018 and designated 'Motion for Extension of Time to File Brief' is allowed. Defendant-Appellant Bloomsbury Estates Condominium Homeowners Association, Inc.'s brief shall be filed on or before 14 September 2018.

By order of the Court this the 28th of August 2018.

5 - APPELLANT BRIEF

Filed: 09-14-2018 @ 15:45:30  
 FOR: Defendant-Appellant Bloomsbury Estates Condominium Homeowners Association, Inc.  
 BY : Ms. Harmony W. Taylor  
 BLACK SLAUGHTER & BLACK P.A.

6 - M-EXT-BR (Allowed) - 10-11-2018  
 Filed: 10-10-2018 @ 21:08:34  
 FOR: Defendant-Appellee Bloomsbury Estates, LLC  
 BY : Mr. Jay H. Ferguson  
 THOMAS, FERGUSON & MULLINS, LLP

The following order was entered:

The motion filed in this cause on the 10th of October 2018 and designated 'Motion for Extension of Time to File Brief' is allowed. Defendant-Appellee Bloomsbury Estates, LLC's brief shall be filed on or before 14 November 2018.

By order of the Court this the 11th of October 2018.

7 - APPELLEE BRIEF  
 Filed: 11-14-2018 @ 13:54:31  
 FOR: Defendant-Appellee Bloomsbury Estates, LLC  
 BY : Mr. Jay H. Ferguson  
 THOMAS, FERGUSON & MULLINS, LLP

8 - APPELLANT BRIEF REPLY  
 Filed: 11-28-2018 @ 13:36:42  
 FOR: Defendant-Appellant Bloomsbury Estates Condominium Homeowners Association, Inc.  
 BY : Ms. Harmony W. Taylor  
 BLACK SLAUGHTER & BLACK P.A.

**Financial Information**

**Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
11-28-2018	Printing	47.25	47.25	APPELLEE BRIEF	27	R122003118	12-06-2018
07-27-2018	Docket Fee	10.00	10.00			R072037918	07-27-2018
07-27-2018	Bond	250.00	250.00			R072037918	07-27-2018
08-01-2018	Printing	75.25	75.25	RECORD	43	R082009618	08-13-2018
09-17-2018	Printing	35.00	35.00	APPELLANT BRIEF	20	R092039518	09-27-2018
11-30-2018	Printing	28.00	28.00	APPELLANT BRIEF	16	R122011718	12-10-2018

**Payments**

Payment Date	Payment Type	Amount	Check Number
03-29-2019	Disburse	47.25	44384
03-29-2019	Disburse	193.75	44385

**Exhibits**

**Parties**

Party Name	Role
Department of Transportation	Plaintiff-Appellee
Bloomsbury Estates, LLC	Defendant-Appellee
Bloomsbury Estates Condominium Homeowners Association, Inc.	Defendant-Appellant

**A t t o r n e y s**

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**Attorney for Defendant-Appellant - Bloomsbury Estates Condominium Homeowners Association, Inc.**

Ms. Harmony W. Taylor [Primary Attorney]

Attorney at Law

htaylor@lawfirmcarolinas.com

BLACK SLAUGHTER & BLACK P.A.

1927 S. Tryon Street, Suite 100

Charlotte, NC 28203

(336) 553-5121

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**Attorney for Defendant-Appellant - Bloomsbury Estates Condominium Homeowners Association, Inc.**

Mr. T. Keith Black [Primary Attorney]

Attorney at Law

tkblack@lawfirmcarolinas.com

BLACK SLAUGHTER BLACK, PA

P.O. Box 41027

Greensboro, NC 27404

(336) 278-1899

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**Attorney for Defendant-Appellee - Bloomsbury Estates, LLC**

Mr. Jay H. Ferguson [Primary Attorney]

Attorney at Law

ferguson@tfblawyers.com

THOMAS, FERGUSON & MULLINS, LLP

119 East Main Street

Durham, NC 27701

(252) 633-3131

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**Attorney for Plaintiff-Appellee - Department of Transportation**

Mr. E. Burke Haywood [Primary Attorney]

Special Deputy Attorney General

bhaywood@ncdoj.gov

Mr. Douglas W. Corhill

Attorney at Law

N.C. DEPARTMENT OF JUSTICE

Transportation Section

1505 Mail Service Center

Raleigh, NC 27699

(919) 707-4480

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**Attorney for -**

Mr. Douglas W. Corkhill [Primary Attorney]

Special Deputy Attorney General  
dcorkhill@ncdoj.gov  
N.C. DEPARTMENT OF JUSTICE  
Transportation Section  
1505 Mail Service Center  
Raleigh, NC 27699  
(919) 707-4480

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**Attorney for Defendant-Appellee - County of Wake**

Ms. Allison Pope Cooper [Primary Attorney]  
Attorney at Law  
allison.cooper@wakegov.com  
WAKE COUNTY ATTORNEY'S OFFICE  
P.O. Box 550  
Raleigh, NC 27602  
(919) 856-5500

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