

# North Carolina Court of Appeals

## Docket Sheet

Chappell v. NC Dep't of Transp.

**Case Number:** 19-71

**As of:** 03/29/2024

**Case Closed:** Yes

**Close Date:** 05-28-2020

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

**Mediation:** No

TED P. CHAPPELL and  
SARAH S. CHAPPELL,  
Plaintiffs,

v.

NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION,  
Defendant.

**Docket Date:** 01-22-2019 **File Date:** 01-22-2019 **File Time:** 12:46

**Acquired Date:** 01-22-2019

**Bond Collected:** No

**Docket Fee:** No

**Pauper:** No

Print Deposit: No

**State Appeals:** Yes

### History

**Venue:** Cumberland (14) **Heard In:** Superior Court

**To SC:** **From SC:**

**Lower Court Number(s)**

Location: Cumberland (14)

Judge: Mary Ann Tally

Case #: 14CVS9407

### Tracking/Argue

### Opinion

### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	01-22-2019	01-22-2019				01-23-2019		
(2) EXHIBIT	01-22-2019							
(3) EXHIBIT	01-22-2019							
(4) EXHIBIT	01-22-2019							
(5) EXHIBIT	01-22-2019							
(6) EXHIBIT	01-22-2019							
(7) EXHIBIT	01-22-2019							
(8) EXHIBIT	01-22-2019							
(9) EXHIBIT	01-22-2019							

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(6) EXHIBIT	01-22-2019							
(7) EXHIBIT	01-22-2019							
(8) EXHIBIT	01-22-2019							
(9) EXHIBIT	01-22-2019							

(10) EXHIBIT	01-22-2019							
(11) APPELLANT BRIEF	02-21-2019					02-22-2019		
(12) M-EXT-BR	03-08-2019	03-08-2019					Allowed	03-08-2019
(13) APPELLEE BRIEF	04-18-2019					04-22-2019		
(14) M-GEN	04-29-2019	04-29-2019					Allowed	05-01-2019
(15) REPLY	05-16-2019					05-17-2019		

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1 - RECORD

Filed: 01-22-2019 @ 12:46:00

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 2 - EXHIBIT

Filed: 01-22-2019 @ 15:34:40

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 3 - EXHIBIT

Filed: 01-22-2019 @ 15:38:04

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 4 - EXHIBIT

Filed: 01-22-2019 @ 15:40:58

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 5 - EXHIBIT

Filed: 01-22-2019 @ 15:47:36

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 6 - EXHIBIT

Filed: 01-22-2019 @ 15:54:27

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 7 - EXHIBIT

Filed: 01-22-2019 @ 15:59:43

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 8 - EXHIBIT

Filed: 01-22-2019 @ 16:07:37

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 9 - EXHIBIT

Filed: 01-22-2019 @ 16:04:14

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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## 10 - EXHIBIT

Filed: 01-22-2019 @ 16:13:17

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

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**11 - APPELLANT BRIEF**

Filed: 02-21-2019 @ 15:24:53

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. James M. Stanley, Jr.

N.C. DEPARTMENT OF JUSTICE

**12 - M-EXT-BR (Allowed) - 03-08-2019**

Filed: 03-08-2019 @ 08:29:02

FOR: Appellee Chappell, Ted P., et al

BY : Mr. Garris Neil Yarborough

YARBOROUGH, WINTERS &amp; NEVILLE

The following order was entered:

The motion filed in this cause on the 8th of March 2019 and designated 'Plaintiffs-Appellees' Motion for Extension of Time to File Plaintiffs-Appelles' Brief' is allowed. Plaintiffs-Appellees' brief shall be filed on or before 22 April 2019.

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

**13 - APPELLEE BRIEF**

Filed: 04-18-2019 @ 16:23:18

FOR: Appellee Chappell, Ted P., et al

BY : Mr. Garris Neil Yarborough

YARBOROUGH, WINTERS &amp; NEVILLE

**14 - MOTION DEFENDANT-APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF (Allowed) - 05-01-2019**

Filed: 04-29-2019 @ 15:43:45

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. Steven M. Sartorio

SMITH ANDERSON BLOUNT DORSETT MITCHELL &amp; JERNIGAN, LLP

The following order was entered:

The motion filed in this cause on the 29th of April 2019 and designated 'Defendant-Appellant's Motion for Extension of Time to File Reply Brief' is allowed. Defendant-Appellant's reply brief shall be filed on or before 17 May 2019.

By order of the Court this the 1st of May 2019.

**15 - APPELLANT BRIEF REPLY**

Filed: 05-16-2019 @ 14:36:41

FOR: Defendant-Appellant NC Department Of Transportation

BY : Mr. William H. Moss

SMITH ANDERSON BLOUNT DORSETT MITCHELL &amp; JERNIGAN, LLP

**Financial Information****Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
05-17-2019	Printing	190.75	190.75	APPELLANT BRIEF	109	R062001919	06-03-2019
01-22-2019	Docket Fee	10.00	10.00			R022000219	02-01-2019
02-06-2019	Printing	672.00	672.00	RECORD	384	R062007819	06-07-2019
03-08-2019	Printing	316.75	316.75	APPELLANT BRIEF	181	R062014719	06-07-2019
04-22-2019	Printing	169.75	169.75	APPELLEE BRIEF	97	R042044319	04-29-2019

**Exhibits**

Transcript(s) Electronically Filed

transcript-sullivan-v.ncdot-november-18-2016.pdf  
 chappell-thompson-v.nc-dot-3.26.18-volume-i-of-iv.pdf  
 chappell-thompson-v.nc-dot-3.27.18-volume-ii-of-iv.pdf  
 chappell-thompson-v.nc-dot-3.28.18-volume-iii-of-iv.pdf  
 chappell-thompson-v.nc-dot-3.29.18-volume-iv-of-iv.pdf  
 transcript-chappell-v.nc-dot-4.9.18-volume-i.pdf  
 transcript-chappell-v.nc-dot-4.10.18-volume-ii.pdf  
 transcript-chappell-v.nc-dot-4.11.18-volume-iii-of-v.pdf  
 transcript-chappell-v.nc-dot-4.16.18.pdf  
 transcript-chappell-v.nc-dot-4.17.18.pdf  
 transcript-chappell-thompson-v.nc-dot-4.26.18.pdf  
 transcript-chappell-thompson-v.nc-dot-6.14.18.pdf  
 sullivan-et-al-v.nc-dot-10.5.2015.pdf  
 sullivan-et-all-v.nc-dot-1.5.2018.pdf

## Parties

Party Name	Role
Chappell, Ted P.	Plaintiff-Appellee
Chappell, Sarah S.	Plaintiff-Appellee
NC Department Of Transportation	Defendant-Appellant

## Attorneys

### Attorney for Defendant-Appellant - NC Department Of Transportation

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