

# North Carolina Court of Appeals

## Docket Sheet

Holland v. French

**Case Number:** 19-498

**As of:** 05/01/2024

**Case Closed:** Yes

**Close Date:** 09-21-2020

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

**Mediation:** No

DONNIE GEORGE HOLLAND,  
EXECUTOR OF THE ESTATE  
OF SHIRLEY DAVIS PENDERGRASS,  
Plaintiff,

v.

RICHARD ALLAN FRENCH and  
ALICIA OSUNA FRENCH,  
Defendants/Third  
Party Plaintiffs,

v.

NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION,  
Defendant/Third  
Party Defendant.

**Docket Date:** 06-03-2019

**File Date:** 05-31-2019

**File Time:** 10:22

**Acquired Date:** 05-31-2019

**Bond Collected:** No

**Docket Fee:** No

**Pauper:** No

Print Deposit: No

**State Appeal:** --

### History

**Venue:** Nash (8)

**Heard In:** Superior Court

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: Nash (8)

Judge: Quentin T. Sumner

Case #: 16CVS774

### Tracking/Argue

**Argue Date:** 01-08-2020 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 09-01-2020

Cert Date: 09-21-2020

Author: Honorable Hunter Murphy

Decision: No Error

Opinion Notes: Chris Dillon (c) John Tyson (c)(d)

Opinion Pages: 44

Opinion Cost: \$ 8.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=39637>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	05-31-2019	05-31-2019				06-04-2019		
(2) SUPERSEDED EXHIBIT RULE 9(D)(2)	05-31-2019	05-31-2019						
(3) M-EXT-BR	06-27-2019	06-27-2019					Allowed	06-28-2019
(4) APPELLANT BRIEF	07-15-2019					07-16-2019		
(5) APPELLEE BRIEF	08-08-2019	08-08-2019				08-12-2019		
(6) REPLY	08-22-2019					08-28-2019		

#### 1 - RECORD

Filed: 05-31-2019 @ 10:22:00

FOR: 3rd Party-Appellant North Carolina Department Of Transportation

BY : Ms. Alesia Mikhaulauna Balshakova  
N.C. DEPARTMENT OF JUSTICE

#### 2 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 05-31-2019 @ 10:22:00

FOR: 3rd Party-Appellant North Carolina Department Of Transportation

BY : Ms. Alesia Mikhaulauna Balshakova  
N.C. DEPARTMENT OF JUSTICE

#### 3 - M-EXT-BR (Allowed) - 06-28-2019

Filed: 06-27-2019 @ 13:19:59

FOR: 3rd Party-Appellant North Carolina Department Of Transportation

BY : Ms. Alesia Mikhaulauna Balshakova  
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 27th of June 2019 and designated 'Motion for Extension of Time to File Defendant/Third-Party Defendant-Appellant's Brief' is allowed. Defendant/Third-Party Defendant-Appellant's brief shall be filed on or before 15 July 2019.

By order of the Court this the 28th of June 2019.

#### 4 - APPELLANT BRIEF

Filed: 07-15-2019 @ 14:43:30

FOR: 3rd Party-Appellant North Carolina Department Of Transportation

BY : Ms. Alesia Mikhaulauna Balshakova  
N.C. DEPARTMENT OF JUSTICE

#### 5 - APPELLEE BRIEF

Filed: 08-08-2019 @ 12:01:00

FOR: Appellee Holland, Donnie George, et al

BY : Mr. W. Earl Taylor, Jr.  
TAYLOR LAW OFFICE

#### 6 - APPELLANT BRIEF REPLY

Filed: 08-22-2019 @ 15:14:21

FOR: 3rd Party-Appellant North Carolina Department Of Transportation

BY : Ms. Alesia Mikhaulauna Balshakova  
N.C. DEPARTMENT OF JUSTICE

### Financial Information

### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
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08-12-2019	Printing	47.25	47.25	APPELLEE BRIEF	27	R082030019	08-21-2019
06-03-2019	Docket Fee	10.00	10.00			R062028819	06-14-2019
07-10-2019	Printing	411.25	411.25	RECORD	235	R072021019	07-26-2019
08-07-2019	Printing	61.25	61.25	APPELLANT BRIEF	35	R082037419	08-23-2019
09-05-2019	Printing	28.00	28.00	APPELLANT BRIEF	16	R092014219	09-13-2019
09-01-2020	Assess	56.25	56.25			R092016720	09-18-2020

### Payments

Payment Date	Payment Type	Amount	Check Number
10-28-2020	Disburse	47.25	45577

### Exhibits

### Transcript(s) Electronically Filed

volume-i-of-v-pendergrass-v-french-dot.pdf  
 voume-ii-of-v-pendergrass-v-french-dot.pdf  
 volume-iii-of-v-pendergrass-v-french-dot.pdf  
 volume-iv-of-v-pendergrass-v-french-dot.pdf  
 volume-v-of-v-pendergrass-v-french-dot.pdf  
 transcript-10-1-18-pendergrass-v-french-et-al-motion-hearing-52-pages-2.pdf

### Parties

Party Name	Role
Holland, Donnie George	Plaintiff-Appellee
Pendergrass, Shirley Davis (Estate of)	Plaintiff-Appellee
French, Alicia Osuna	3rd Party-Appellee
North Carolina Department Of Transportation	3rd Party-Appellant
French, Richard Allan	3rd Party-Appellee

### Attorneys

#### Attorney for 3rd Party-Appellant - North Carolina Department Of Transportation

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**Attorney for Appellee - French, Richard Allan, et al**

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