

North Carolina Court of Appeals

Docket Sheet

Hicks v. KMD Inv. Solutions, LLC

Case Number: 20-71
As of: 05/01/2024
Case Closed: Yes **Close Date:** 03-22-2021 **Case Type:** Civil (Tort, Contract, Real Property) **Mediation:** No

MATTIE HICKS and
 BARBARA SIGLER,
 Plaintiffs,

v.

KMD INVESTMENT SOLUTIONS, LLC,
 WENDY'S REAL ESTATE SOLUTIONS,
 LLC, and NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION,
 Defendants.

KMD INVESTMENT SOLUTIONS, LLC,
 Third-Party Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF
 TRANSPORTATION,
 Third-Party Defendant.

Docket Date:	01-28-2020	File Date:	01-27-2020	File Time:	12:25	Acquired Date:	01-27-2020		
Bond Collected:	No	Docket Fee:	No	Pauper:	No	Print Deposit:	No	State Appeals:	---

History

Venue:	Halifax (7)	Heard In:	Superior Court
To SC:		From SC:	

Lower Court Number(s)

Location: Halifax (7)
 Judge: Cy A. Grant Sr.
 Case #: 16CVS321

Tracking/Argue

Argue Date: 10-20-2020 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 03-02-2021 Cert Date: 03-22-2021
 Author: Honorable Hunter Murphy
 Decision: Affirmed

Opinion Notes:

Opinion Pages: 15 Opinion Cost: \$ 3.00

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=39696>**Documents**

Document	Date Recvd	Cart of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	01-27-2020	01-27-2020				01-29-2020		
(2) SUPERSEDED EXHIBIT RULE 9(D)(2)	01-27-2020	01-27-2020						
(3) M-EXT-BR	02-19-2020	02-19-2020					Allowed	02-20-2020
(4) M-EXT-BR	03-19-2020	03-19-2020					Allowed	03-19-2020
(5) APPELLANT BRIEF	06-12-2020					06-15-2020		
(6) M-EXT-BR	07-08-2020	07-08-2020					Allowed	07-09-2020
(7) APPELLEE BRIEF	07-24-2020					07-27-2020		
(8) REPLY	08-05-2020					08-12-2020		

1 - RECORD

Filed: 01-27-2020 @ 12:25:00

FOR: 3rd Party-Appellant NC Department Of Transportation

BY : Mr. Alexander G. Walton

NC DEPARTMENT OF JUSTICE

2 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 01-27-2020 @ 12:25:00

FOR: 3rd Party-Appellant NC Department Of Transportation

BY : Mr. Alexander G. Walton

NC DEPARTMENT OF JUSTICE

3 - M-EXT-BR (Allowed) - 02-20-2020

Filed: 02-19-2020 @ 15:06:58

FOR: 3rd Party-Appellant NC Department Of Transportation

BY : Mr. Alexander G. Walton

NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 19th of February 2020 and designated 'Motion for Extension of Time to File Appellant's Brief' is allowed. Third-Party Defendant Appellant's brief shall be filed on or before 27 March 2020.

By order of the Court this the 20th of February 2020.

4 - M-EXT-BR (Allowed) - 03-19-2020

Filed: 03-19-2020 @ 10:46:30

FOR: 3rd Party-Appellant NC Department Of Transportation

BY : Mr. Alexander G. Walton

NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 19th of March 2020 and designated 'Second Motion for Extension of Time to File Appellant's Brief' is allowed. Third-Party Defendant Appellant's brief shall be filed on or before 13 April 2020.

By order of the Court this the 19th of March 2020.

5 - APPELLANT BRIEF
 Filed: 06-12-2020 @ 15:20:36
 FOR: 3rd Party-Appellant NC Department Of Transportation
 BY : Mr. Alexander G. Walton
 NC DEPARTMENT OF JUSTICE

6 - M-EXT-BR (Allowed) - 07-09-2020
 Filed: 07-08-2020 @ 16:54:35
 FOR: Appellee Hicks, Mattie, et al
 BY : Mr. Robert T. Perry
 PERRY, PERRY & PERRY, PA

The following order was entered:

The motion filed in this cause on the 8th of July 2020 and designated 'Motion for Extension of Time to File Appellees' Brief' is allowed. Plaintiff-appellees' brief shall be filed on or before 27 July 2020.

By order of the Court this the 9th of July 2020.

7 - APPELLEE BRIEF
 Filed: 07-24-2020 @ 10:35:17
 FOR: Appellee Hicks, Mattie, et al
 BY : Mr. Sanford W. Thompson, IV
 SANFORD THOMPSON, PLLC

8 - APPELLANT BRIEF REPLY
 Filed: 08-05-2020 @ 13:00:59
 FOR: 3rd Party-Appellant NC Department Of Transportation
 BY : Mr. Alexander G. Walton
 NC DEPARTMENT OF JUSTICE

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
07-27-2020	Printing	99.75	99.75	APPELLEE BRIEF	57	R082031320	08-18-2020
01-28-2020	Docket Fee	10.00	10.00			R062036521	06-30-2021
02-07-2020	Printing	435.75	435.75	RECORD	249	R102036220	10-23-2020
07-08-2020	Printing	61.25	61.25	APPELLANT BRIEF	35	R072019720	07-17-2020
09-04-2020	Printing	21.00	21.00	APPELLANT BRIEF	12	R092022520	09-25-2020
03-04-2021	Assess	118.75	118.75			R032044821	03-26-2021

Payments

Payment Date	Payment Type	Amount	Check Number
06-30-2021	Disburse	99.75	45893

Exhibits

Transcript(s) Electronically Filed

transcript-hicks-v.kmd-07-16-19-07-17-19-vol-ii-of-iv.pdf
transcript-hicks-v.kmd-07-18-19-vol-iii-of-iv.pdf
transcript-hicks-v.kmd-07-19-19-07-22-19-07-23-19-vol-iv-of-iv.pdf
transcript-hicks-v.kmd-08-13-19.pdf
hicks-v.kmd-dot-7-15-19-certificate-of-delivery.pdf
transcript-hicks-v.kmd-halifax-county-16cv321-7-15-2019.pdf

Parties

Party Name	Role
Hicks, Mattie	Plaintiff-Appellee
Sigler, Barbara	Plaintiff-Appellee
KMD Investment Solutions, LLC	3rd Party-Appellee
Wendy's Real Estate Solutions, LLC	Defendant-Appellee
NC Department Of Transportation	3rd Party-Appellant

Attorneys

Attorney for 3rd Party-Appellant - NC Department Of Transportation

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NC DEPARTMENT OF JUSTICE

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