

North Carolina Court of Appeals

Docket Sheet

Taylor v. Bank of Am., N.A.

Case Number: 20-160

As of: 05/29/2023

Case Closed: Yes

Close Date: 01-20-2021

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

Mediation: No

CHESTER TAYLOR, III, RONDA and
BRIAN WARLICK, LORI MENDEZ, LORI
MARTINEZ, CRYSTAL PRICE, JEANETTE
and ANDREW ALESHIRE, MARQUITA
PERRY, WHITNEY WHITESIDE, KIMBERLY
STEPHAN, KEITH PEACOCK, ZELMON
MCBRIDE,

Plaintiffs,

v.

BANK OF AMERICA, N.A.,
Defendant.

Docket Date: 03-04-2020

File Date: 03-02-2020

File Time: 02:29

Acquired Date: 03-02-2020

Bond Collected: Yes

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals:

History

Venue: Mecklenburg (26)

Heard In: Superior Courts

To SC:

From SC:

Lower Court Number(s)

Location: Mecklenburg (26)

Judge: Lisa C. Bell

Case #: 18CVS8266

Tracking/Argue

Argue Date: 10-21-2020 (No oral argument by Rule 30(e)) colspan=5

Opinion

Opinion Date: 12-31-2020

Cert Date: 01-20-2021

Author: Honorable Reuben F. Young

Decision: Affirmed

Opinion Notes:

Opinion Pages: 14

Opinion Cost: \$ 2.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=39687>

Documents

Document	Date Recvd	Cert of Service	Rec/Brt Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-02-2020					03-05-2020		
(2) SUPPLEMENT	03-02-2020							
(3) SUPERSEDED EXHIBIT RULE 9(D)(2)	03-02-2020							
(4) M-EXT-BR	03-24-2020	03-24-2020					Allowed	03-25-2020
(5) M-EXT-BR	04-27-2020	04-23-2020					Allowed	04-28-2020
(6) M-GEN	05-11-2020	05-11-2020					Allowed	05-19-2020
(7) APPELLANT BRIEF	05-29-2020					06-02-2020		
(8) M-EXT-BR	06-18-2020	06-18-2020					Allowed	06-24-2020
(9) M-GEN	06-18-2020	06-18-2020					Allowed	06-24-2020
(10) APPELLEE BRIEF	07-31-2020					08-03-2020		
(11) REPLY	08-14-2020					08-17-2020		
(12) PET-REHEAR	02-04-2021	02-04-2021					Allowed	03-10-2021
(13) NA-APP	11-15-2021	11-08-2021						
(15) M-GEN	12-20-2022						Denied	12-21-2022
(16) NA-DISSNT	01-24-2023	01-24-2023						

1 - RECORD

Filed: 03-02-2020 @ 02:29:00
FOR: Appellant Taylor, Chester (III), et al
BY : Mr. William C. Robinson
ROBINSON, ELLIOTT & SMITH

2 - RECORD SUPPLEMENT

Filed: 03-02-2020 @ 02:30:00
FOR: Appellant Taylor, Chester (III), et al
BY : Mr. William C. Robinson
ROBINSON, ELLIOTT & SMITH

3 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 03-02-2020 @ 02:30:00
FOR: Appellant Taylor, Chester (III), et al
BY : Mr. William C. Robinson
ROBINSON, ELLIOTT & SMITH

4 - M-EXT-BR (Allowed) - 03-25-2020

Filed: 03-24-2020 @ 13:19:54
FOR: Appellant Taylor, Chester (III), et al
BY : Ms. Dorothy M. Gooding

The following order was entered:

The motion filed in this cause on the 24th of March 2020 and designated 'Appellants' Motion for Extension of Time to File and Serve Opening Brief' is allowed. Plaintiff-Appellants' brief shall be filed on or before 1 May 2020.

By order of the Court this the 25th of March 2020.

5 - M-EXT-BR (Allowed) - 04-28-2020
Filed: 04-27-2020 @ 16:01:46
FOR: Appellant Taylor, Chester (III), et al
BY : Mr. William C. Robinson
ROBINSON, ELLIOTT & SMITH

The following order was entered:

The motion filed in this cause on the 27th of April 2020 and designated 'Appellants' Motion for Extension of Time to File and Serve Opening Brief' is allowed. Plaintiff-Appellants' brief shall be filed on or before 1 June 2020.

By order of the Court this the 28th of April 2020.

6 - MOTION MOTION FOR ADMISSION PRO HAC VICE (Allowed) - 05-19-2020
Filed: 05-11-2020 @ 13:27:24
FOR: Appellant Taylor, Chester (III), et al
BY : Mr. William C. Robinson
ROBINSON, ELLIOTT & SMITH

The following order was entered:

The motion filed in this cause on the 11th of May 2020 and designated 'Motion for Admission Pro Hac Vice' is allowed. Justin Witkin, Daniel Thornburgh, Chelsie Warner, and Caitlyn Miller are admitted to practice pro hac vice.

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

7 - APPELLANT BRIEF
Filed: 05-29-2020 @ 10:37:26
FOR: Appellant Taylor, Chester (III), et al
BY : Ms. Caitlyn Prichard Miller
AYLSTOCK, WITKIN, KREIS & OVERHOLTZ

8 - M-EXT-BR (Allowed) - 06-24-2020
Filed: 06-18-2020 @ 09:52:56
FOR: Defendant-Appellee Bank of America, N.A.
BY : Mr. Bradley R. Kutrow
MCGUIREWOODS, LLP

The following order was entered:

The motion filed in this cause on the 18th of June 2020 and designated 'Appellee's Motion for Extension of Time' is allowed. Defendant-Appellee's brief shall be filed on or before 31 July 2020.

By order of the Court this the 24th of June 2020.

9 - MOTION MOTION FOR ADMISSION PRO HAC VICE (Allowed) - 06-24-2020
Filed: 06-18-2020 @ 09:55:40
FOR: Defendant-Appellee Bank of America, N.A.
BY : Mr. Bradley R. Kutrow
MCGUIREWOODS, LLP

The following order was entered:

The motion filed in this cause on the 18th of June 2020 and designated 'Motion for Admission Pro Hac Vice' is allowed. Keith Levenberg and James McGarry are admitted to practice pro hac vice.

By order of the Court this the 24th of June 2020.

10 - APPELLEE BRIEF
Filed: 07-31-2020 @ 12:00:11
FOR: Defendant-Appellee Bank of America, N.A.
BY : Mr. Bradley R. Kutrow
MCGUIREWOODS, LLP

11 - APPELLANT BRIEF REPLY
Filed: 08-14-2020 @ 16:05:07
FOR: Appellant Taylor, Chester (III), et al
BY : Ms. Caitlyn Prichard Miller
AYLSTOCK, WITKIN, KREIS & OVERHOLTZ

12 - PET-REHEAR (Allowed) - 03-10-2021
 Filed: 02-04-2021 @ 16:17:47
 FOR: Appellant Taylor, Chester (III), et al
 BY : Ms. Caitlyn Prichard Miller
 AYLSTOCK, WITKIN, KREIS & OVERHOLTZ

The following order was entered:

The petition filed on 4 February 2021 in this cause and designated 'Petition for Rehearing' is allowed. The Respondent/Appellee may submit additional briefing in response to the petition, not to exceed two thousand five hundred (2,500) words, on or before 24 March 2021. The appeal will be reconsidered without oral arguments.

This cause shall be heard by the panel consisting of Judge Dillon, Judge Carpenter, and Judge Jackson.

By order of the Court this the 10th of March 2021.

The above order is therefore certified to the Clerk of the Superior Court, Mecklenburg County.

RESPONSE TO PET-REHEAR
 Filed: 03-24-2021
 BY : Mr. Bradley R. Kutrow

13 - NA-APP
 Filed: 11-15-2021 @ 12:45:31
 FOR: Defendant-Appellee Bank of America, N.A.
 BY : Mr. Bradley R. Kutrow
 MCGUIREWOODS, LLP

15 - MOTION PLAINTIFFS/APPELLANTS MOTION REQUESTING ORAL ARGUMENT (Denied) - 12-21-2022
 Filed: 12-20-2022 @ 08:47:49
 FOR: Appellant Taylor, Chester (III), et al
 BY : Ms. Samantha Katen
 AYLSTOCK, WITKIN, KREIS & OVERHOLTZ

The following order was entered:

The motion filed in this cause on the 20th of December 2022 and designated 'Plaintiffs/Appellants Motion Requesting Oral Argument' is denied.

By order of the Court this the 21st of December 2022.

16 - NA-DISSNT
 Filed: 01-24-2023 @ 10:46:30
 FOR: Defendant-Appellee Bank of America, N.A.
 BY : Mr. Bradley R. Kutrow
 MCGUIREWOODS, LLP

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
07-02-2020	Pro Hac Vice	225.00	225.00			R072004020	07-02-2020
07-02-2020	Pro Hac Vice	225.00	225.00			R072004120	07-02-2020
08-03-2020	Printing	434.00	434.00	APPELLEE BRIEF	248	R082005120	08-10-2020
10-22-2021	Retax	2002.50	2002.50			R102032121	10-27-2021
01-25-2023	Cert Fee	10.00	10.00			R012028223	01-27-2023
03-04-2020	Docket Fee	10.00	10.00			R032004320	03-04-2020
03-04-2020	Bond	250.00	250.00			R032004320	03-04-2020
03-05-2020	Printing	1401.75	1401.75	RECORD	801	R042009020	04-13-2020
05-22-2020	Pro Hac Vice	225.00	225.00			R052016520	05-22-2020
05-22-2020	Pro Hac Vice	225.00	225.00			R052016620	05-22-2020

05-22-2020	Pro Hac Vice	225.00	225.00			R052016720	05-22-2020
05-22-2020	Pro Hac Vice	225.00	225.00			R052016820	05-22-2020
01-13-2021	Assess	193.00	193.00			R022013521	02-12-2021
06-02-2020	Printing	91.00	91.00	APPELLANT BRIEF	52	R062003420	06-05-2020
08-17-2020	Printing	36.75	36.75	APPELLANT BRIEF	21	R082033520	08-20-2020
02-05-2021	Pet to Rehear	20.00	20.00			R042037122	04-25-2022

Payments

Payment Date	Payment Type	Amount	Check Number
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Exhibits

Transcript(s) Electronically Filed

19-may29-hearing.pdf

Parties

Party Name	Role
Taylor, Chester (III)	Plaintiff-Appellant
Warlick, Ronda	Plaintiff-Appellant
Warlick, Brian	Plaintiff-Appellant
Mendez, Lori	Plaintiff-Appellant
Martinez, Lori	Plaintiff-Appellant
Price, Crystal	Plaintiff-Appellee
Aleshire, Jeanette	Plaintiff-Appellant
Aleshire, Andrew	Plaintiff-Appellant
Perry, Marquita	Plaintiff-Appellant
Whiteside, Whitney	Plaintiff-Appellee
Stephan, Kimberly	Plaintiff-Appellant
Peacock, Keith	Plaintiff-Appellant
McBride, Zelmon	Plaintiff-Appellant
Bank of America, N.A.	Defendant-Appellee

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