

North Carolina Court of Appeals

Docket Sheet

In re: A.C.

Case Number: 20-508
As of: 10/04/2023
Case Closed: Yes **Close Date:** 12-06-2021 **Case Type:** Civil (3.1-Other) **Mediation:** No

IN THE MATTER OF:

A.C.

Docket Date: 07-21-2020 **File Date:** 07-20-2020 **File Time:** 12:40 **Acquired Date:** 07-20-2020
Bond Collected: No **Docket Fee:** No **Pauper:** Yes **Print Deposit:** No **State Appeal:** -

History

Venue: New Hanover (05) **Heard In:** District Courts
To SC: **From SC:**

Lower Court Number(s)

Location: New Hanover (05)
Judge: J. H. Corpening II
Case #: 16JA60

Tracking/Argue

Argue Date: 03-09-2021 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 11-16-2021 **Cert Date:** 12-06-2021
Author: Honorable Fred Gore
Decision: Vacated and Remanded
Opinion Notes:
Opinion Pages: 13 **Opinion Cost:** \$ 2.60
Cite:
Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=40047>

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	07-20-2020	07-20-2020				07-22-2020		
(2) SUPERSEDED EXHIBIT RULE 9(D)(2)	07-22-2020							
(3) APPELLANT BRIEF	08-19-2020					08-20-2020		

(4) APPELLEE BRIEF	09-17-2020					09-18-2020		
(5) APPELLEE BRIEF	09-18-2020					09-18-2020		
(6) REPLY	10-02-2020					10-07-2020		
(7) M-EN-BANC-REHEARING	06-30-2021	06-30-2021			see below		Allowed	07-30-2021
(8) PET-REHEAR	06-30-2021	06-30-2021					Dismissed as moot	09-01-2021
(9) COURT ORDER	07-01-2021						Special Order	07-01-2021
(10) ADD-AUTH	07-21-2021	07-21-2021						
(11) COURT ORDER	08-12-2021						Other	08-12-2021
(12) COURT ORDER	08-31-2021						Special Order	08-31-2021

1 - RECORD

Filed: 07-20-2020 @ 12:40:07
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

2 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 07-22-2020 @ 12:32:49
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

3 - APPELLANT BRIEF

Filed: 08-19-2020 @ 13:40:39
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

4 - APPELLEE BRIEF

Filed: 09-17-2020 @ 11:26:37
FOR: Other-Appellee
BY : Mr. Matthew D. Wunsche

5 - APPELLEE BRIEF

Filed: 09-18-2020 @ 11:13:21
FOR: Petitioner-Appellee
BY : Ms. Jennifer G. Cooke
NEW HANOVER COUNTY DEPARTMENT OF SOCIAL SERVICES

6 - APPELLANT BRIEF REPLY

Filed: 10-02-2020 @ 16:23:55
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

7 - M-EN-BANC-REHEARING (Allowed) - 07-30-2021

Filed: 06-30-2021 @ 10:08:50
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

The following order was entered:

The motion filed in this cause by respondent-appellant father on 30 June 2021 and designated 'Motion for En Banc Rehearing' is allowed. The appeal shall be reheard before the Court en banc. Decisions on supplemental briefing and scheduling of oral arguments, if determined to be needed by the Court, shall be made in future orders.

By order of the Court this the 30th of July 2021.

RESPONSE TO M-EN-BANC-REHEARING

Filed: 07-12-2021
BY : Mr. Matthew D. Wunsche

RESPONSE TO M-EN-BANC-REHEARING
Filed: 07-13-2021
BY : Ms. Jennifer G. Cooke
NEW HANOVER COUNTY DEPARTMENT OF SOCIAL SERVICES

8 - PET-REHEAR (Dismissed as moot) - 09-01-2021
Filed: 06-30-2021 @ 10:11:42
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

The following order was entered:

The petition for rehearing filed in this cause on the 30th of June 2021 is dismissed as moot.

By order of the Court this the 1st of September 2021.

9 - CT_ORDER COURT ORDER (Special Order) - 07-01-2021
Filed: 07-01-2021 @ 15:14:10
FOR:
BY : Hon. Donna Stroud

The following Order was entered:

A motion for en banc rehearing was filed in this cause on the 30th day of June 2021. This issuance of the mandate is hereby stayed.

10 - MEMOS ADD-AUTH
Filed: 07-21-2021 @ 17:49:18
FOR: Respondent-Appellant
BY : Mr. Benjamin J. Kull
BJK LEGAL

11 - CT_ORDER COURT ORDER (Other) - 08-12-2021
Filed: 08-12-2021 @ 15:14:09
FOR:
BY : Hon. Donna Stroud

The following order was entered:

IT IS HEREBY ORDERED by majority vote that the opinion filed in this case on 6 July 2021 be withdrawn. The Clerk of the Court of Appeals is hereby directed not to certify said opinion. This cause is retained by this Court pending further orders.

By order of the Court this the 12th of August 2021.

12 - CT_ORDER COURT ORDER (Special Order) - 08-31-2021
Filed: 08-31-2021 @ 10:49:05
FOR:
BY : Hon. Donna Stroud

The following order was entered:

This appeal was heard on 9 March 2021 before a panel consisting of Judge Tyson, Judge Murphy, and Judge Gore, which filed an opinion in the matter on 6 July 2021. By order entered 30 July 2021, this Court allowed respondent-appellant father's "Motion for En Banc Rehearing" and ordered the appeal to be reheard before the Court en banc. The opinion of the original panel was withdrawn by order entered 12 August 2021.

IT IS NOW ORDERED that, after further consideration by the Court as a whole, the Court's 30 July 2021 order allowing en banc rehearing of the appeal is rescinded. The appeal is returned to the original panel for further consideration.

By order of the Court this the 31st of August 2021.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-03-2020	Printing	631.75	631.75	RECORD	361	R082025220	08-14-2020
09-04-2020	Printing	84.00	84.00	APPELLANT BRIEF	48	R092038620	09-25-2020
11-04-2020	Printing	29.75	29.75	APPELLANT BRIEF	17	R112016620	11-20-2020
10-06-2020	Printing	40.25	40.25	APPELLEE BRIEF	23	R102021120	10-15-2020
12-01-2021	Assess	9.00	9.00			R012003122	01-03-2022
10-06-2020	Printing	50.75	50.75	APPELLEE BRIEF	29	R102020020	10-15-2020

Exhibits

Parties

Parties Restricted

Attorneys

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