

# North Carolina Court of Appeals

## Docket Sheet

### Batson v. Coastal Res. Comm'n

**Case Number:** 21-110

**As of:** 04/30/2024

**Case Closed:** Yes      **Close Date:** 03-21-2022      **Case Type:** Civil (Tort, Contract, Real Property)      **Mediation:** Yes

HOLLIS L. BATSON and CAROL D. BATSON;  
LAWRENCE F. BALDWIN and ELIZABETH C.  
BALDWIN; BALDWIN-BATSON OWNERS'  
ASSOCIATION, INC.,

Petitioners,

v.

COASTAL RESOURCES COMMISSION and  
NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION,

Respondents.

<b>Docket Date:</b> 02-15-2021	<b>File Date:</b> 02-12-2021	<b>File Time:</b> 10:36	<b>Acquired Date:</b> 02-12-2021
<b>Bond Collected:</b> No	<b>Docket Fee:</b> Yes	<b>Pauper:</b> No	<b>Print Deposit:</b> No <b>State Appeals:</b> Yes

#### History

**Venue:** Carteret (4)      **Heard In:** Superior Court  
**To SC:**      **From SC:**

#### Lower Court Number(s)

Location: Carteret (4)

Judge: Charles H. Henry

Case #: 19CVS797 19CVS798 19CVS799

#### Tracking/Argue

**Argue Date:** 11-17-2021 #

#### Opinion

Opinion Date: 03-01-2022      Cert Date: 03-21-2022

Author: Honorable Richard Dietz

Decision: Vacated and Remanded

Opinion Notes: Tyson (d)

Opinion Pages: 37      Opinion Cost: \$ 7.40

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=40808>

#### 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	02-12-2021	02-12-2021				02-16-2021		
(2) SUPPLEMENT	02-12-2021							
(3) M-GEN	02-26-2021	02-26-2021					Allowed	02-26-2021
(4) APPELLANT BRIEF	05-14-2021	05-14-2021				05-17-2021		
(5) APPELLEE BRIEF	06-16-2021	06-16-2021				06-17-2021		
(6) REPLY	06-28-2021	06-28-2021				06-29-2021		
(7) M-GEN	10-25-2021	10-25-2021						
(8) ADD-AUTH	11-10-2021	11-10-2021						
(9) M-GEN	11-10-2021	11-10-2021			11-16-2021		Dismissed as moot	02-22-2022
(10) M-GEN	11-18-2021	11-18-2021					Allowed	02-22-2022

## 1 - RECORD

Filed: 02-12-2021 @ 10:36:20

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

## 2 - RECORD SUPPLEMENT

Filed: 02-12-2021 @ 11:03:26

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

## 3 - MOTION MOTION FOR 60 DAY EXTENSION OF TIME (Allowed) - 02-26-2021

Filed: 02-26-2021 @ 10:07:05

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 26th of February 2021 and designated 'Motion for 60 Day Extension of Time' is allowed. Respondent-Appellant's brief shall be filed on or before 14 May 2021.

By order of the Court this the 26th of February 2021.

## 4 - APPELLANT BRIEF

Filed: 05-14-2021 @ 22:06:52

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

## 5 - APPELLEE BRIEF

Filed: 06-16-2021 @ 18:07:25

FOR: Appellee Batson, Hollis L., et al

BY : Mr. I. Clark Wright, Jr.

DAVIS HARTMAN WRIGHT PLLC

## 6 - APPELLANT BRIEF REPLY

Filed: 06-28-2021 @ 22:14:02

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

## 7 - MOTION MOTION FOR ORAL ARGUMENT TO BE HEARD VIA WEBEX AND NOT IN PERSON

Filed: 10-25-2021 @ 12:19:48

FOR: Respondent-Appellant Coastal Resources Commission

BY : Ms. Mary Louise Lucasse

NC DEPARTMENT OF JUSTICE

8 - MEMOS ADD-AUTH  
 Filed: 11-10-2021 @ 10:50:59  
 FOR: Respondent-Appellant Coastal Resources Commission  
 BY : Ms. Mary Louise Lucasse  
 NC DEPARTMENT OF JUSTICE

9 - MOTION PETITIONERS'-APPELLEES' MOTION TO STRIKE AND FOR SANCTIONS (Dismissed as moot) - 02-22-2022  
 Filed: 11-10-2021 @ 15:08:19  
 FOR: Appellee Batson, Hollis L., et al  
 BY : Mr. I. Clark Wright, Jr.  
 DAVIS HARTMAN WRIGHT PLLC

The following order was entered:

The motion filed in this cause on the 10th of November 2021 and designated 'Petitioners'-Appellees' Motion to Strike and for Sanctions' is dismissed as moot.

By order of the Court this the 22nd of February 2022.

RESPONSE TO MOTION PETITIONERS'-APPELLEES' MOTION TO STRIKE AND FOR SANCTIONS  
 Filed: 11-16-2021  
 BY : Ms. Mary Louise Lucasse  
 NC DEPARTMENT OF JUSTICE

10 - MOTION PETITIONERS'-APPELLEES' WITHDRAWAL OF MOTION TO STRIKE AND FOR SANCTIONS (Allowed) - 02-22-2022  
 Filed: 11-18-2021 @ 11:58:35  
 FOR: Appellee Batson, Hollis L., et al  
 BY : Mr. I. Clark Wright, Jr.  
 DAVIS HARTMAN WRIGHT PLLC

The following order was entered:

The motion filed in this cause on the 18th of November 2021 and designated 'Petitioners-Appellees' Withdrawal of Motion to Strike and for Sanctions' is allowed.

By order of the Court this the 22nd of February 2022.

## Financial Information

### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
06-17-2021	Printing	122.50	122.50	APPELLEE BRIEF	70	R062035621	06-28-2021
03-08-2022	Assess	989.50	0.00				
02-15-2021	Docket Fee	10.00	10.00			R032001321	03-01-2021
03-04-2021	Printing	1960.00	1960.00	RECORD	1120	R032038221	03-19-2021
05-17-2021	Printing	108.50	108.50	APPELLANT BRIEF	62	R052022621	05-24-2021
06-29-2021	Printing	36.75	36.75	APPELLANT BRIEF	21	R072007621	07-13-2021
03-08-2022	Assess	4.50	4.50			R032028622	03-21-2022

### Exhibits

### Transcript(s) Electronically Filed

2020-0731-baldwin-batson-crc.pdf  
 07-31-2020-batson-v-crc-certificate-of-delivery.pdf

### Parties

Party Name	Role
Batson, Hollis L.	Petitioner-Appellee
Batson, Carol D.	Petitioner-Appellee
Baldwin, Lawrence F.	Petitioner-Appellee
Baldwin, Elizabeth C.	Petitioner-Appellee
Baldwin-Batson Owners' Association, Inc.	Petitioner-Appellee
Coastal Resources Commission	Respondent-Appellant
North Carolina Department Of Transportation	Respondent-Appellee

### Attorneys

#### **Attorney for Respondent-Appellant - Coastal Resources Commission**

Ms. Mary Louise Lucasse [Primary Attorney]

Special Deputy Attorney General

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NC DEPARTMENT OF JUSTICE

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#### **Attorney for Appellee - Batson, Hollis L., et al**

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