

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.

Docket Date: 02-15-2021

File Date: 02-12-2021

File Time: 10:36

Acquired Date: 02-12-2021

Bond Collected: No

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals: 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]

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NC DEPARTMENT OF JUSTICE

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