

North Carolina Court of Appeals

Docket Sheet

Rural Empowerment Ass'n for Cmty. Help v. State of N.C.

Case Number: 21-175

As of: 04/26/2024

Case Closed: Yes

Close Date: 01-10-2022

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

Mediation: No

RURAL EMPOWERMENT ASSOCIATION
FOR COMMUNITY HELP, et al.,
Plaintiffs,

v.

STATE OF NORTH CAROLINA, et al.,
Defendants,

Docket Date: 03-25-2021

File Date: 03-17-2021

File Time: 04:58

Acquired Date: 03-17-2021

Bond Collected: Yes

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals: No

History

Venue: Wake (10)

Heard In: Superior Court

To SC:

From SC:

Lower Court Number(s)

Location: Wake (10)

Judge: R. Stuart Albright

Case #: 19CVS8198

Tracking/Argue

Argue Date: 12-01-2021 #

Opinion

Opinion Date: 12-21-2021 Cert Date: 01-10-2022

Author: Honorable John M. Tyson

Decision: Affirmed

Opinion Notes:

Opinion Pages: 19 Opinion Cost: \$ 3.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=40832>

Documents

Document	Date Recvd	Cert of Service	Rec/Brl Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-17-2021	03-17-2021				03-26-2021		
(2) M-EXT-BR	04-13-2021					04-13-2021	Allowed	04-13-2021

Document	Date Recvd	Cert of Service	Rec/Brl Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-17-2021	03-17-2021				03-26-2021		
(2) M-EXT-BR	04-13-2021					04-13-2021	Allowed	04-13-2021

(3) M-AMICUS	05-17-2021	05-17-2021					Allowed	05-19-2021
(4) M-AMICUS	05-17-2021	05-17-2021					Allowed	05-19-2021
(5) APPELLANT BRIEF	05-17-2021	05-17-2021				05-18-2021		
(6) AMICUS	05-17-2021	05-17-2021				05-20-2021		
(7) AMICUS	05-18-2021	05-17-2021				05-20-2021		
(8) M-EXT-BR	06-10-2021	06-10-2021					Allowed	06-10-2021
(9) APPELLEE BRIEF	07-23-2021	07-23-2021				07-23-2021		
(10) M-AMICUS	07-23-2021	07-23-2021					Allowed	07-26-2021
(11) APPELLEE BRIEF	07-23-2021	07-23-2021				07-26-2021		
(12) APPELLEE BRIEF	07-23-2021	07-23-2021				07-26-2021		
(13) AMICUS	07-23-2021	07-23-2021				08-23-2021		
(14) M-EXT-BR	07-30-2021	07-30-2021					Allowed	08-02-2021
(15) REPLY	08-19-2021	08-19-2021				08-23-2021		
(16) COURT ORDER	11-24-2021						Special Order	11-24-2021

1 - RECORD

Filed: 03-17-2021 @ 16:58:44

FOR: Appellant Rural Empowerment Association For Community Help, et al

BY : Ms. Elizabeth Haddix

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

2 - M-EXT-BR (Allowed) - 04-13-2021

Filed: 04-13-2021 @ 11:45:19

FOR: Appellant Rural Empowerment Association For Community Help, et al

BY : Ms. Elizabeth Haddix

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

The following order was entered:

The motion filed in this cause on the 13th of April 2021 and designated 'Plaintiff-Appellants' Motion for Extension of Time to File Opening Brief' is allowed. Plaintiff-Appellants' brief shall be filed on or before 17 May 2021.

By order of the Court this the 13th of April 2021.

3 - M-AMICUS (Allowed) - 05-19-2021

Filed: 05-17-2021 @ 16:22:36

FOR:

BY : Mr. Matthew D. Ballew

ZAYTOUN BALLEW & TAYLOR, PLLC

The following order was entered:

The motion filed in this cause on the 17th of May 2021 and designated 'Motion by the North Carolina Advocates for Justice for Leave to File Amicus Curiae Brief' is allowed. The amicus curiae brief shall be printed.

By order of the Court this the 19th of May 2021.

4 - M-AMICUS (Allowed) - 05-19-2021

Filed: 05-17-2021 @ 17:46:12

FOR:

BY : Ms. Blakely E. Hildebrand

The following order was entered:

The motion filed in this cause on the 17th of May 2021 and designated 'Environmental Justice Community Acton Network Motion for Leave to File Amicus Brief in Support of Plaintiff-Appellants' is allowed. The amicus curiae brief shall be printed.

By order of the Court this the 19th of May 2021.

5 - APPELLANT BRIEF

Filed: 05-17-2021 @ 15:42:52

FOR: Appellant Rural Empowerment Association For Community Help, et al

BY : Ms. Elizabeth Haddix

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

6 - OTHER BRIEF AMICUS

Filed: 05-17-2021 @ 17:50:13

FOR:

BY : Ms. Blakely E. Hildebrand

THE SOUTHERN ENVIRONMENTAL LAW CENTER

7 - OTHER BRIEF AMICUS

Filed: 05-18-2021 @ 09:45:13

FOR:

BY : Mr. Matthew D. Ballew

ZAYTOUN BALLEW & TAYLOR, PLLC

8 - M-EXT-BR (Allowed) - 06-10-2021

Filed: 06-10-2021 @ 09:44:51

FOR: Appellee Moore, Timothy K. (Speaker), et al

BY : Mr. Nathan A. Huff

PHELPS DUNBAR LLP

The following order was entered:

The motion filed in this cause on the 10th of June 2021 and designated 'Defendant-Appellees' Joint Motion for Extension of Time to File Brief' is allowed. Defendant-Appellees shall file their respective briefs on or before 23 July 2021.

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

9 - APPELLEE BRIEF

Filed: 07-23-2021 @ 10:42:38

FOR: Intervenor-Appellee N.C. Farm Bureau Federation, Inc.

BY : Mr. Christopher G. Smith

SMITH ANDERSON BLOUNT DORSETT MITCHELL & JERNIGAN, LLP

10 - M-AMICUS (Allowed) - 07-26-2021

Filed: 07-23-2021 @ 15:29:48

FOR:

BY : Mr. Tien Cheng

NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 23rd of July 2021 and designated 'North Carolina of Agriculture and Consumer Services Motion for Leave to File Amicus Brief' is allowed. Amicus Curiae brief shall be printed.

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

11 - APPELLEE BRIEF

Filed: 07-23-2021 @ 17:01:52

FOR: Appellee Moore, Timothy K. (Speaker), et al

BY : Mr. Nathan A. Huff

PHELPS DUNBAR LLP

12 - APPELLEE BRIEF

Filed: 07-23-2021 @ 17:03:00

FOR: Defendant-Appellee State of North Carolina

BY : Mr. Matthew Tulchin

NC DEPARTMENT OF JUSTICE

13 - OTHER BRIEF AMICUS

Filed: 07-23-2021 @ 15:31:18

FOR:

BY : Mr. Tien Cheng

NC DEPARTMENT OF JUSTICE

14 - M-EXT-BR (Allowed) - 08-02-2021

Filed: 07-30-2021 @ 17:09:00

FOR: Appellant Rural Empowerment Association For Community Help, et al

BY : Ms. Elizabeth Haddix

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

The following order was entered:

The motion filed in this cause on the 30th of July 2021 and designated 'Motion for Extension of Time to File Reply Brief' is allowed. Plaintiff-Appellants' reply brief shall be filed on or before 19 August 2021.

By order of the Court this the 2nd of August 2021.

15 - APPELLANT BRIEF REPLY

Filed: 08-19-2021 @ 17:12:44

FOR: Appellant Rural Empowerment Association For Community Help, et al

BY : Ms. Elizabeth Haddix

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

16 - CT_ORDER COURT ORDER (Special Order) - 11-24-2021

Filed: 11-24-2021 @ 07:44:56

FOR:

BY : Hon. Donna Stroud

The following Order was entered:

This case was originally calendared for oral argument on Wednesday, 1 December 2021 at 2:00 p.m. before a panel consisting of Judge John Tyson, Judge John Arrowood, and Judge Jefferson Griffin.

IT IS NOW ORDERED that this case shall be orally argued on Wednesday, 1 December 2021 at 2:00 p.m. before a panel consisting of Judge John Tyson, Judge Fred Gore, and Judge Jefferson Griffin.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
07-23-2021	Printing	78.75	78.75	APPELLEE BRIEF	45	R072027421	07-30-2021
05-20-2021	Printing	36.75	36.75	OTHER BRIEF	21	R062001921	06-03-2021
07-26-2021	Printing	91.00	91.00	APPELLEE BRIEF	52	R082000721	08-02-2021
07-26-2021	Printing	71.75	71.75	APPELLEE BRIEF	41	R082004221	08-09-2021
05-20-2021	Printing	42.00	42.00	OTHER BRIEF	24	R052022421	05-24-2021
03-25-2021	Docket Fee	10.00	10.00			R032041821	03-25-2021
03-25-2021	Bond	250.00	250.00			R032041821	03-25-2021
03-26-2021	Printing	372.75	372.75	RECORD	213	R042010021	04-15-2021
05-18-2021	Printing	85.75	85.75	APPELLANT BRIEF	49	R052009521	05-19-2021
08-23-2021	Printing	36.75	36.75	APPELLANT BRIEF	21	R102030221	10-25-2021
01-05-2022	Assess	0.50	0.00				
09-02-2021	Printing	45.50	45.50	OTHER BRIEF	26	R102000321	10-01-2021

Payments

Payment Date	Payment Type	Amount	Check Number
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Exhibits

Transcript(s) Electronically Filed

rural-empowerment-v-state-12-10-20-hearing.pdf
 rural-empowerment-v-state-12-3-20-hearing.pdf
 rural-empowerment-v-state-10-27-20-hearing.pdf
 rural-empowerment-v-state-7-27-20-hearing.pdf

Parties

Party Name	Role
Rural Empowerment Association For Community Help	Plaintiff-Appellant
North Carolina Environmental Justice Network	Plaintiff-Appellant
Waterkeepers Alliance	Plaintiff-Appellant
State of North Carolina	Defendant-Appellee
Moore, Timothy K. (Speaker)	Defendant-Appellee
Berger, Philip E. (Pres. Pro Tempore)	Defendant-Appellee
N.C. Farm Bureau Federation, Inc.	Intervenor-Appellee

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