

# North Carolina Court of Appeals

## Docket Sheet

Dep't of Transp. v. Mountain Vills., LLC

**Case Number:** 21-684

**As of:** 05/01/2024

**Case Closed:** Yes

**Close Date:** 11-21-2022

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

**Mediation:** No

DEPARTMENT OF TRANSPORTATION,  
Plaintiff,

v.

MOUNTAIN VILLAGES, LLC; and  
ENTEGRABANK,  
Defendants.

**Docket Date:** 11-23-2021

**File Date:** 11-22-2021

**File Time:** 01:56

**Acquired Date:** 11-22-2021

**Bond Collected:** Yes

**Docket Fee:** Yes

**Pauper:** No

Print Deposit: No

**State Appeals:** -

### History

**Venue:** Jackson (43)

**Heard In:** Superior Court

**To SC:**

**From SC:**

### Lower Court Number(s)

Location: Jackson (43)

Judge: Jacqueline D. Grant

Case #: 15CVS511

### Tracking/Argue

**Argue Date:** 06-07-2022 (No oral argument by Rule 30(f))

### Opinion

Opinion Date: 11-01-2022

Cert Date: 11-21-2022

Author: Honorable Allegra Collins

Decision: Affirmed

Opinion Notes:

Opinion Pages: 24

Opinion Cost: \$ 4.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=41435>

### Documents

**Document**

**Date Recvd**

**Cert of Service**

**Rec/Brf Due**

**Resp. Due**

**Resp. Recvd**

**Mailed Out**

**Ruling**

**Ruling Date**

(1) RECORD	11-22-2021	11-22-2021				11-23-2021		
(2) SUPERSEDED EXHIBIT RULE 9(D)(2)	11-22-2021	11-22-2021						

(3) SUPERSEDED EXHIBIT RULE 9(D)(2)	11-23-2021							
(4) M-EXT-BR	12-21-2021	12-21-2021					Allowed	12-22-2021
(5) APPELLANT BRIEF	01-21-2022	01-21-2022				01-24-2022		
(6) M-EXT-BR	02-16-2022	02-16-2022					Allowed	02-17-2022
(7) M-EXT-BR	03-18-2022	03-18-2022					Allowed	03-18-2022
(8) APPELLEE BRIEF	04-12-2022	04-12-2022				04-13-2022		
(9) REPLY	04-21-2022					04-22-2022		

## 1 - RECORD

Filed: 11-22-2021 @ 13:56:02

FOR: Defendant-Appellant Mountain Villages, LLC

BY : Mr. Jonathan H. Dunlap

VAN WINKLE, BUCK, WALL, STARNES &amp; DAVIS, P.A.

## 2 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 11-22-2021 @ 15:39:20

FOR: Defendant-Appellant Mountain Villages, LLC

BY : Mr. Jonathan H. Dunlap

VAN WINKLE, BUCK, WALL, STARNES &amp; DAVIS, P.A.

## 3 - RECORD SUPERSEDED EXHIBIT RULE 9(D)(2)

Filed: 11-23-2021 @ 12:18:03

FOR: Defendant-Appellant Mountain Villages, LLC

BY : Mr. Jonathan H. Dunlap

VAN WINKLE, BUCK, WALL, STARNES &amp; DAVIS, P.A.

## 4 - M-EXT-BR (Allowed) - 12-22-2021

Filed: 12-21-2021 @ 15:04:33

FOR: Defendant-Appellant Mountain Villages, LLC

BY : Mr. Jonathan H. Dunlap

VAN WINKLE, BUCK, WALL, STARNES &amp; DAVIS, P.A.

The following order was entered:

The motion filed in this cause on the 21st of December 2021 and designated 'Motion for Extension of Time to File Defendant-Appellant's Brief' is allowed. Defendant-Appellant Mountain Villages, LLC's brief shall be filed on or before 21 January 2022.

By order of the Court this the 22nd of December 2021.

## 5 - APPELLANT BRIEF

Filed: 01-21-2022 @ 15:53:31

FOR: Defendant-Appellant Mountain Villages, LLC

BY : Mr. Jonathan H. Dunlap

VAN WINKLE, BUCK, WALL, STARNES &amp; DAVIS, P.A.

## 6 - M-EXT-BR (Allowed) - 02-17-2022

Filed: 02-16-2022 @ 16:56:51

FOR: Plaintiff-Appellee Department of Transportation

BY : Ms. Liliana R. Lopez

The following order was entered:

The motion filed in this cause on the 16th of February 2022 and designated 'Motion for Extension of Time Within Which to File Plaintiff's [Appellee] Brief' is allowed. Plaintiff-Appellee's brief shall be filed on or before 22 March 2022.

By order of the Court this the 17th of February 2022.

7 - M-EXT-BR (Allowed) - 03-18-2022  
 Filed: 03-18-2022 @ 14:15:17  
 FOR: Plaintiff-Appellee Department of Transportation  
 BY : Ms. Liliana R. Lopez

The following order was entered:

The motion filed in this cause on the 18th of March 2022 and designated 'Motion for Extension of Time Within Which to File Plaintiff's [Appellee] Brief' is allowed. Plaintiff-Appellee's brief shall be filed on or before 21 April 2022.

By order of the Court this the 18th of March 2022.

8 - APPELLEE BRIEF  
 Filed: 04-12-2022 @ 15:15:12  
 FOR: Plaintiff-Appellee Department of Transportation  
 BY : Ms. Liliana R. Lopez

9 - APPELLANT BRIEF REPLY  
 Filed: 04-21-2022 @ 14:34:51  
 FOR: Defendant-Appellant Mountain Villages, LLC  
 BY : Mr. Jonathan H. Dunlap  
 VAN WINKLE, BUCK, WALL, STARNES & DAVIS, P.A.

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
04-13-2022	Printing	77.00	77.00	APPELLEE BRIEF	44	R042033422	04-18-2022
11-23-2021	Docket Fee	10.00	10.00			R112030521	11-23-2021
11-23-2021	Bond	250.00	250.00			R112030521	11-23-2021
11-23-2021	Printing	640.50	640.50	RECORD	366	R122001321	12-02-2021
01-24-2022	Printing	285.25	285.25	APPELLANT BRIEF	163	R022000422	02-01-2022
04-22-2022	Printing	36.75	36.75	APPELLANT BRIEF	21	R042040022	04-28-2022
	Assess	86.00	86.00			R112005222	11-07-2022

#### Payments

Payment Date	Payment Type	Amount	Check Number
04-03-2023	Disburse	77.00	47302
04-03-2023	Disburse	164.00	47303

### Exhibits

#### Transcript(s) Electronically Filed

transcript-dot-v.mountain-villages-june-30-2021-vol-1-of-1-4829-4296-1401-v.1.pdf

### Parties

Party Name

Role

Mountain Villages, LLC	Defendant-Appellant
Department of Transportation	Plaintiff-Appellee
Entegra Bank	Defendant-Appellee

### Attorneys

#### **Attorney for Defendant-Appellant - Mountain Villages, LLC**

Mr. Jonathan H. Dunlap [Primary Attorney]

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Mr. Jackson C. Bebber

Attorney at Law

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#### **Attorney for Plaintiff-Appellee - Department of Transportation**

Ms. Liliana R. Lopez [Primary Attorney]

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#### **Attorney for Defendant-Appellee - Entegra Bank**

Mr. Roger Plemens [Primary Attorney]

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