

North Carolina Court of Appeals

Docket Sheet

Equestrian Lakes, LLC v. N.C. Dep't of Transp.

Case Number: 22-321

As of: 05/01/2024

Case Closed: Yes

Close Date: 01-09-2023

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

Mediation: No

EQUESTRIAN LAKES, LLC,
Plaintiff,

v.

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION,
Defendant.

Docket Date: 04-25-2022

File Date: 04-19-2022

File Time: 02:04

Acquired Date: 04-19-2022

Bond Collected: Yes

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeal: -

History

Venue: Moore (29)

Heard In: Superior Court

To SC:

From SC:

Lower Court Number(s)

Location: Moore (29)

Judge: James M. Webb

Case #: 21CVS903

Tracking/Argue

Argue Date: 11-01-2022 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 12-20-2022

Cert Date: 01-09-2023

Author: Honorable Darren Jackson

Decision: Affirmed

Opinion Notes:

Opinion Pages: 9

Opinion Cost: \$ 1.80

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=41859>

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	04-19-2022	04-19-2022				04-26-2022		
(2) M-EXT-BR	05-13-2022	05-13-2022					Allowed	05-13-2022

(3) APPELLANT BRIEF	06-20-2022	06-20-2022				06-21-2022		
(4) NOTICE OF APPEARANCE	07-15-2022	07-15-2022						
(5) M-EXT-BR	07-18-2022	07-18-2022					Allowed	07-18-2022
(6) APPELLEE BRIEF	08-24-2022	08-24-2022				08-25-2022		
(7) M-EXT-BR	08-30-2022	08-30-2022					Allowed	08-31-2022
(8) REPLY	09-21-2022	09-21-2022				09-22-2022		
(9) M-GEN	01-10-2023	01-10-2023					Dismissed	01-13-2023
(10) M-GEN	01-10-2023	01-10-2023					Dismissed	01-13-2023
(11) M-GEN	01-15-2023	01-15-2023					Dismissed	01-17-2023
(12) M-GEN	01-15-2023	01-15-2023					Dismissed	01-17-2023

1 - RECORD

Filed: 04-19-2022 @ 14:04:26

FOR: Plaintiff-Appellant Equestrian Lakes, LLC

BY : Ms. Keenya T. Justice

THE JUSTICE FIRM, LLC

2 - M-EXT-BR (Allowed) - 05-13-2022

Filed: 05-13-2022 @ 13:53:38

FOR: Plaintiff-Appellant Equestrian Lakes, LLC

BY : Ms. Keenya T. Justice

THE JUSTICE FIRM, LLC

The following order was entered:

The motion filed in this cause on the 13th of May 2022 and designated 'Motion for Extension of Time Within Which to File the Brief for Equestrian Lakes, LLC' is allowed. Plaintiff-appellant's brief shall be filed on or before 20 June 2022.

By order of the Court this the 13th of May 2022.

3 - APPELLANT BRIEF

Filed: 06-20-2022 @ 12:11:45

FOR: Plaintiff-Appellant Equestrian Lakes, LLC

BY : Ms. Keenya T. Justice

THE JUSTICE FIRM, LLC

4 - NOTICE OF APPEARANCE

Filed: 07-15-2022 @ 10:33:59

FOR: Defendant-Appellee North Carolina Department Of Transportation

BY : Mrs. Kelly A. Moore

N.C. DEPARTMENT OF JUSTICE

5 - M-EXT-BR (Allowed) - 07-18-2022

Filed: 07-18-2022 @ 13:12:44

FOR: Defendant-Appellee North Carolina Department Of Transportation

BY : Mrs. Kelly A. Moore

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 18th of July 2022 and designated 'Motion for Extension of Time Within Which to File the Brief for the Department of Transportation' is allowed. Appellee North Carolina Department of Transportation's brief shall be filed on or before 24 August 2022.

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

6 - APPELLEE BRIEF

Filed: 08-24-2022 @ 10:21:34

FOR: Defendant-Appellee North Carolina Department Of Transportation

BY : Mrs. Kelly A. Moore

NC DEPARTMENT OF JUSTICE

7 - M-EXT-BR (Allowed) - 08-31-2022
Filed: 08-30-2022 @ 15:15:33
FOR: Plaintiff-Appellant Equestrian Lakes, LLC
BY : Ms. Keenya T. Justice
THE JUSTICE FIRM, LLC

The following order was entered:

The motion filed in this cause on the 30th of August 2022 and designated 'Motion for Extension of Time Within Which to File the Reply Brief for Equestrian Lakes, LLC' is allowed. Plaintiff-Appellant's reply brief shall be filed on or before 21 September 2022.

By order of the Court this the 31st of August 2022.

8 - APPELLANT BRIEF REPLY
Filed: 09-21-2022 @ 12:27:27
FOR: Plaintiff-Appellant Equestrian Lakes, LLC
BY : Ms. Keenya T. Justice
THE JUSTICE FIRM, LLC

9 - MOTION DEFENDANT-APPELLEE'S MOTION FOR PUBLICATION PURSUANT TO RULE 30(E)(4) (Dismissed) - 01-13-2023
Filed: 01-10-2023 @ 14:12:33
FOR: Defendant-Appellee North Carolina Department Of Transportation
BY : Mrs. Kelly A. Moore
NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 10th of January 2023 and designated 'Defendant-Appellee's Motion for Publication Pursuant to Rule 30(e)(4)' is dismissed.

By order of the Court this the 13th of January 2023.

10 - MOTION DEFENDANT-APPELLEE'S MOTION TO DEEM MOTION FOR PUBLICATION TIMELY (Dismissed) - 01-13-2023
Filed: 01-10-2023 @ 14:13:33
FOR: Defendant-Appellee North Carolina Department Of Transportation
BY : Mrs. Kelly A. Moore
NC DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 10th of January 2023 and designated 'Defendant-Appellee's Motion to Deem Motion for Publication Timely' is dismissed.

By order of the Court this the 13th of January 2023.

11 - MOTION PLAINTIFF-APPELLANT'S MOTION OPPOSING DEFENDANT-APPELLEES MOTION FOR PUBLICATION PURSUANT TO RULE 30(E)(4) (Dismissed) - 01-17-2023
Filed: 01-15-2023 @ 11:48:22
FOR: Plaintiff-Appellant Equestrian Lakes, LLC
BY : Ms. Keenya T. Justice
THE JUSTICE FIRM, LLC

The following order was entered:

The motion filed in this cause on the 15th of January 2023 and designated 'Plaintiff-Appellant's Motion Opposing Defendant-Appellees Motion for Publication Pursuant to Rule 30(e)(4)' is dismissed.

By order of the Court this the 17th of January 2023.

12 - MOTION PLAINTIFF-APPELLANT'S MOTION OPPOSING DEFENDANT-APPELLEES MOTION TO DEEM MOTION FOR PUBLICATION TIMELY (Dismissed) - 01-17-2023
 Filed: 01-15-2023 @ 11:55:17
 FOR: Plaintiff-Appellant Equestrian Lakes, LLC
 BY : Ms. Keenya T. Justice
 THE JUSTICE FIRM, LLC

The following order was entered:

The motion filed in this cause on the 15th of January 2023 and designated 'Plaintiff-Appellant's Motion Opposing Defendant-Appellees Motion to Deem Motion for Publication Timely' is dismissed.

By order of the Court this the 17th of January 2023.

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
04-25-2022	Docket Fee	10.00	10.00			R042036422	04-25-2022
04-25-2022	Bond	250.00	250.00			R042036422	04-25-2022
04-26-2022	Printing	278.25	278.25	RECORD	159	R052001722	05-03-2022
06-21-2022	Printing	108.50	108.50	APPELLANT BRIEF	62	R072001122	07-01-2022
09-22-2022	Printing	96.25	96.25	APPELLANT BRIEF	55	R092057722	09-26-2022
	Assess	103.50	103.50			R012002323	01-03-2023
09-07-2022	Printing	94.50	94.50	APPELLEE BRIEF	54	R102006622	10-07-2022

Payments

Payment Date	Payment Type	Amount	Check Number
02-15-2023	Disburse	94.50	47238
02-15-2023	Disburse	146.50	47239

Exhibits

Transcript(s) Electronically Filed

transcript-oct.7-2021-equ.lakes-llc-v.dot.pdf

Parties

Party Name	Role
Equestrian Lakes, LLC	Plaintiff-Appellant
North Carolina Department Of Transportation	Defendant-Appellee

Attorneys

Attorney for Plaintiff-Appellant - Equestrian Lakes, LLC

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N.C. DEPARTMENT OF JUSTICE

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