

# North Carolina Court of Appeals

## Docket Sheet

McLendon Hills Equestrian Ctr., LLC v. N.C. Dep't of Transp.

**Case Number:** 22-322

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

**Case Closed:** Yes

**Close Date:** 01-09-2023

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

**Mediation:** No

MCLENDON HILLS EQUESTRIAN  
CENTER, LLC,

Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION,

Defendant.

**Docket Date:** 04-25-2022

**File Date:** 04-19-2022

**File Time:** 02:12

**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 #: 21CVS902

### 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: 2

Opinion Cost: \$ 0.40

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=41860>

### 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		

## 1 - RECORD

Filed: 04-19-2022 @ 14:12:36

FOR: Plaintiff-Appellant McLendon Hills Equestrian Center, LLC

BY : Ms. Keenya T. Justice

THE JUSTICE FIRM, LLC

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

Filed: 05-13-2022 @ 13:56:03

FOR: Plaintiff-Appellant McLendon Hills Equestrian Center, 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 McLendon Hills Equestrian Center, 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 @ 12:36:51

FOR: Plaintiff-Appellant McLendon Hills Equestrian Center, LLC

BY : Ms. Keenya T. Justice

THE JUSTICE FIRM, LLC

## 4 - NOTICE OF APPEARANCE

Filed: 07-15-2022 @ 10:33:03

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 @ 13:11:11

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 @ 10:22:40

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 @ 15:24:11  
 FOR: Plaintiff-Appellant McLendon Hills Equestrian Center, 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 McLendon Hills Equestrian Center, 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 @ 12:30:41  
 FOR: Plaintiff-Appellant McLendon Hills Equestrian Center, LLC  
 BY : Ms. Keenya T. Justice  
 THE JUSTICE FIRM, LLC

### 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			R042036322	04-25-2022
04-25-2022	Bond	250.00	250.00			R042036322	04-25-2022
04-26-2022	Printing	269.50	269.50	RECORD	154	R052001822	05-03-2022
06-21-2022	Printing	108.50	108.50	APPELLANT BRIEF	62	R072001022	07-01-2022
09-22-2022	Printing	96.25	96.25	APPELLANT BRIEF	55	R092057822	09-26-2022
	Assess	105.25	105.25			R012002223	01-03-2023
09-07-2022	Printing	96.25	96.25	APPELLEE BRIEF	55	R102006722	10-07-2022

#### Payments

Payment Date	Payment Type	Amount	Check Number
02-15-2023	Disburse	96.25	47240
02-15-2023	Disburse	144.75	47241

### Exhibits

#### Transcript(s) Electronically Filed

transcript-oct.7-2021-mclendon-hills-equ.center-llc-v.dot.pdf

### Parties

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

**Attorneys**

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**Attorney for Plaintiff-Appellant - McLendon Hills Equestrian Center, LLC**

Ms. Keenya T. Justice [Primary Attorney]

Attorney at Law

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**Attorney for Defendant-Appellee - North Carolina Department Of Transportation**

Mrs. Kelly A. Moore [Primary Attorney]

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N.C. DEPARTMENT OF JUSTICE

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