

North Carolina Court of Appeals

Docket Sheet

Elliott v. Dep't of Transp.

Case Number: 23-390

As of: 05/01/2024

Case Closed: Yes

Close Date: 12-28-2023

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

Mediation: No

SASHA ROSE ELLIOTT and
JEREMY LEE OACHS,
Plaintiffs,

v.

DEPARTMENT OF TRANSPORTATION,
Defendant.

Docket Date: 05-10-2023

File Date: 05-01-2023

File Time: 05:30

Acquired Date: 05-01-2023

Bond Collected: Yes

Docket Fee: Yes

Pauper: No

Print Deposit: No

State Appeals:

History

Venue: Caldwell (36)

Heard In: Superior Court

To SC:

From SC:

Lower Court Number(s)

Location: Caldwell (36)

Judge: Jacqueline D. Grant

Case #: 19CVS1560

Tracking/Argue

Argue Date: 11-01-2023 (No oral argument by Rule 30(f))

Opinion

Opinion Date: 12-05-2023

Cert Date: 12-28-2023

Author: Honorable John M. Tyson

Decision: Affirmed

Opinion Notes:

Opinion Pages: 8

Opinion Cost: \$ 1.60

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=42907>

Documents

Document

Date Recvd

Cert of Service

Rec/Brt Due

Resp. Due

Resp. Recvd

Mailed Out

Ruling

Ruling Date

(1) RECORD	05-01-2023					05-10-2023		
(2) RULE 9(D) COPIES OF EXHIBITS AND OTHER ITEMS	05-01-2023							

(3) M-EXT-BR	05-30-2023	05-30-2023					Allowed	05-30-2023
(4) APPELLANT BRIEF	06-30-2023	06-30-2023				07-03-2023		
(5) M-EXT-BR	07-18-2023	07-18-2023					Allowed	07-18-2023
(6) APPELLEE BRIEF	08-17-2023	08-17-2023				08-17-2023		

1 - RECORD

Filed: 05-01-2023 @ 17:30:09

FOR: Appellant Elliott, Sasha Rose, et al

BY : Mr. Andrew J. Howell

SIGMON, CLARK, MACKIE, HANVEY & FERRELL, P.A.

2 - RECORD RULE 9(D) COPIES OF EXHIBITS AND OTHER ITEMS

Filed: 05-01-2023 @ 17:32:00

FOR: Appellant Elliott, Sasha Rose, et al

BY : Mr. Andrew J. Howell

SIGMON, CLARK, MACKIE, HANVEY & FERRELL, P.A.

3 - M-EXT-BR (Allowed) - 05-30-2023

Filed: 05-30-2023 @ 08:48:32

FOR: Appellant Elliott, Sasha Rose, et al

BY : Mr. Andrew J. Howell

SIGMON, CLARK, MACKIE, HANVEY & FERRELL, P.A.

The following order was entered:

The motion filed in this cause on the 30th of May 2023 and designated 'Motion for Extension of Time to File Brief' is allowed. Plaintiff-Appellants' brief shall be filed on or before 30 June 2023.

By order of the Court this the 30th of May 2023.

4 - APPELLANT BRIEF

Filed: 06-30-2023 @ 12:21:36

FOR: Appellant Elliott, Sasha Rose, et al

BY : Mr. Andrew J. Howell

SIGMON, CLARK, MACKIE, HANVEY & FERRELL, P.A.

5 - M-EXT-BR (Allowed) - 07-18-2023

Filed: 07-18-2023 @ 10:05:38

FOR: Defendant-Appellee Department of Transportation

BY : Mr. Matthew Baptiste Holloway

N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 18th of July 2023 and designated 'Motion for Extension of Time to File Brief' is allowed. Defendant-Appellee's brief shall be filed on or before 29 August 2023.

By order of the Court this the 18th of July 2023.

6 - APPELLEE BRIEF

Filed: 08-17-2023 @ 11:10:27

FOR: Defendant-Appellee Department of Transportation

BY : Mr. Matthew Baptiste Holloway

N.C. DEPARTMENT OF JUSTICE

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
05-10-2023	Docket Fee	10.00	10.00			R052008123	05-10-2023
05-10-2023	Bond	250.00	250.00			R052008123	05-10-2023
05-10-2023	Printing	80.50	80.50	RECORD	46	R052025423	05-15-2023
07-03-2023	Printing	45.50	45.50	APPELLANT BRIEF	26	R082020823	08-10-2023

	Assess	86.00	86.00			R122003423	12-05-2023
09-01-2023	Printing	77.00	77.00	APPELLEE BRIEF	44	R102009623	10-06-2023

Payments

Payment Date	Payment Type	Amount	Check Number
03-27-2024	Disburse	77.00	48016
03-27-2024	Disburse	164.00	48017

Exhibits

Transcript(s) Electronically Filed

transcript-sasha-rose-elliott-v-department-of-transportation-july-15-2022-volume-1-of-1.pdf
transcript-sasha-rose-elliott-v-department-of-transportation-september-29-2022-volume-1-of-1.pdf

Parties

Party Name	Role
Elliott, Sasha Rose	Plaintiff-Appellant
Department of Transportation	Defendant-Appellee
Oachs, Jeremy Lee	Plaintiff-Appellant

Attorneys

Attorney for Appellant - Elliott, Sasha Rose, et al

Mr. Andrew J. Howell [Primary Attorney]

Attorney at Law

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N.C. DEPARTMENT OF JUSTICE

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