

North Carolina Court of Appeals

Docket Sheet

Fairley v NCDOT

Case Number: P18-572

As of: 05/01/2024

Case Closed: Yes

Close Date:

Case Type: Criminal (Crim_othr)

Mediation: No

ANTHONY BERRY FAIRLEY,
PETITIONER,

V.

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION
RESPONDENT

Docket Date:		File Date:		File Time:		Acquired Date:	08-15-2018
Bond Collected:	No	Docket Fee:	No	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:

Case #: 16CVS1487

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) M-GEN	08-15-2018	08-06-2018					Dismissed	08-16-2018
(2) M-GEN	08-23-2018	08-21-2018		09-04-2018			Allowed	09-10-2018
(3) M-EXT-PR	01-24-2019						Dismissed without prejudice	01-25-2019
(4) M-GEN	02-25-2019	02-22-2019					Dismissed	02-25-2019
(5) M-GEN	05-02-2019	05-02-2019					Allowed	05-07-2019
(6) M-GEN	07-22-2019	07-18-2019					Dismissed	07-24-2019
(7) M-GEN	07-29-2019	07-25-2019			08-01-2019		Dismissed	08-02-2019

1 - MOTION MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT (Dismissed) - 08-16-2018

Filed: 08-15-2018 @ 12:47:35

FOR: Petitioner-Appellant Fairley, Anthony Berry

BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 15th of August 2018 and designated 'Motion for Extension of Time to Order Transcript' is dismissed without prejudice to refile with appropriate proof of service upon opposing counsel in compliance with North Carolina Appellate Procedure, Rule 26(d).

By order of the Court this the 16th of August 2018.

2 - MOTION MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT (Allowed) - 09-10-2018

Filed: 08-23-2018 @ 14:56:21

FOR: Petitioner-Appellant Fairley, Anthony Berry

BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 23rd of August 2018 and designated 'Motion for Extension of Time to Order Transcript' is allowed. Petitioner-Appellant shall arrange for the transcription of the proceedings in accordance with N. C.R. App. P. 7 on or before 24 September 2018.

By order of the Court this the 10th of September 2018.

3 - M-EXT-PR (Dismissed without prejudice) - 01-25-2019

Filed: 01-24-2019 @ 15:41:54

FOR: Petitioner-Appellant Fairley, Anthony Berry

BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 24th of January 2019 and designated 'Motion for Extension of Time to File Settlement Record' is dismissed without prejudice to its refiling with additional information as to the date upon which Plaintiff-Appellant served his proposed record on appeal, and the date upon which Defendant-Appellee served its objections to the proposed record on appeal, and the date upon which the parties settled the record on appeal.

By order of the Court this the 25th of January 2019.

4 - MOTION MOTION FOR EXTENSION OF TIME TO FILE SETTLEMENT RECORD (Dismissed) - 02-25-2019

Filed: 02-25-2019 @ 08:36:20

FOR: Petitioner-Appellant Fairley, Anthony Berry

BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 25th of February 2019 and designated 'Motion for Extension of Time to File Settlement Record' is dismissed without prejudice to its refiling with additional information as to the date upon which Plaintiff-Appellant served his proposed record on appeal, and the date upon which Defendant-Appellee served its objections to the proposed record on appeal, and the date upon which the parties settled the record on appeal.

By order of the Court this the 25th of February 2019.

5 - MOTION MOTION FOR EXTENSION OF TIME TO FILE PROPOSED SETTLED RECORD (Allowed) - 05-07-2019

Filed: 05-02-2019 @ 15:44:43

FOR: Petitioner-Appellant Fairley, Anthony Berry

BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 2nd of May 2019 and designated 'Motion for Extension of Time to File Proposed Settled Record' is allowed. Proposed record on appeal shall be served on or before 22 May 2019. No further extensions of time shall be allowed in the absence of a showing of extraordinary cause.

By order of the Court this the 7th of May 2019.

6 - MOTION MOTION FOR EXTENSION OF TIME TO SUBMIT THE RECORD ON APPEAL (Dismissed) - 07-24-2019
 Filed: 07-22-2019 @ 13:22:26
 FOR: Petitioner-Appellant Fairley, Anthony Berry
 BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 22nd of July 2019 and designated 'Motion for Extension of Time to Submit the Record on Appeal' is dismissed without prejudice to refile with appropriate proof of service upon opposing counsel in compliance with North Carolina Appellate Procedure, Rule 26(d).

By order of the Court this the 24th of July 2019.

7 - MOTION MOTION FOR EXTENSION OF TIME TO SUBMIT THE RECORD ON APPEAL (Dismissed) - 08-02-2019
 Filed: 07-29-2019 @ 14:18:17
 FOR: Petitioner-Appellant Fairley, Anthony Berry
 BY : Mr. Anthony B. Fairley

The following order was entered:

The motion filed in this cause on the 29th of July 2019 and designated 'Motion for Extension of Time to Submit the Record on Appeal' is dismissed.

By order of the Court this the 2nd of August 2019.

RESPONSE TO MOTION MOTION FOR EXTENSION OF TIME TO SUBMIT THE RECORD ON APPEAL
 Filed: 08-01-2019
 BY : Mr. Thomas H. Moore
 N.C. DEPARTMENT OF JUSTICE

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-15-2018	Pre Docket Fees	10.00	10.00			R082046318	08-27-2018
08-23-2018	Pre Docket Fees	10.00	10.00			R092000618	09-04-2018
01-31-2019	Pre Docket Fees	10.00	10.00			R022061819	02-22-2019
02-25-2019	Pre Docket Fees	10.00	10.00			R042009119	04-08-2019
05-02-2019	Pre Docket Fees	10.00	10.00			R062002819	06-04-2019
07-22-2019	Pre Docket Fees	10.00	10.00			R082004119	08-06-2019
07-31-2019	Pre Docket Fees	10.00	10.00			R112000219	11-01-2019

Exhibits

Parties

Party Name	Role
Fairley, Anthony Berry	Petitioner-Appellant
NC Department Of Transportation	Respondent-Appellee

Attorneys

Attorney for Petitioner-Appellant - Fairley, Anthony Berry

Mr. Anthony B. Fairley [Primary Attorney]

Pro Se

abf@professionalvideo-abf.com

80 Wellington Court

Garner, NC 27529

(919) 779-7467

Attorney for Respondent-Appellee - NC Department Of Transportation

Mr. Thomas H. Moore [Primary Attorney]

Assistant Attorney General

tmoore@ncdoj.gov

N.C. DEPARTMENT OF JUSTICE

P.O. Box 629

Raleigh, NC 27602

(919) 707-4486

Attorney for -

Hon. Jennifer Knox [Primary Attorney]

316 Fayetteville Street

Raleigh, NC 27602
