

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA16-1135

Filed: 5 July 2017

Guilford County, No. 14 CVS 10246

TAWANA F. SAMPSON, Plaintiff,

v.

DARYL LANIER, Individually and as Member of the Guilford County Sheriff's Department; B.J. BARNES, Sheriff of Guilford County; and THE LOCAL GOVERNMENT EXCESS LIABILITY FUND, INC., Defendants.

Appeal by plaintiff from judgment entered 16 November 2015 by Judge Anderson Cromer in Guilford County Superior Court. Heard in the Court of Appeals 19 June 2017.

*Tawana F. Sampson, pro se, for plaintiff-appellant.*

*Frazier Hill & Fury, R.L.L.P., by William L. Hill and Torin L. Fury, for defendants-appellees.*

DIETZ, Judge.

Plaintiff Tawana F. Sampson appeals from a judgment dismissing her case with prejudice. Sampson sued the defendants alleging civil assault and battery. The trial court severed the liability and damages portions of the case and the case went to trial on the issue of liability. The jury returned a verdict in favor of the defendants.

SAMPSON V. LANIER

*Opinion of the Court*

According to Sampson, the trial court then entered a judgment dismissing her case with prejudice. Sampson claims to appeal from that judgment.

The record on appeal does not contain a copy of that judgment as required by the Rules of Appellate Procedure. *See* N.C. R. App. P. 9(a)(1)(h). This Court will dismiss an appeal for violation of the Rules of Appellate Procedure only for gross violations that prejudice the opposing party or the court. *Dogwood Dev. & Mgmt. Co., LLC v. White Oak Transp. Co., Inc.*, 362 N.C. 191, 199-200, 657 S.E.2d 361, 366-67 (2008). That is the case here. Without a copy of the judgment Sampson seeks to appeal, we have no way to know what the trial court ruled, and thus no way to determine if it was error. Accordingly, consistent with our precedent, we dismiss this appeal. *Abels v. Renfro Corp.*, 126 N.C. App. 800, 804, 486 S.E.2d 735, 738 (1997).

DISMISSED.

Judges ELMORE and BERGER concur.

Report per Rule 30(e).