

SUPREME COURT OF NORTH CAROLINA

HOKE COUNTY BOARD OF EDUCATION, et al.,)
 Plaintiffs)
)
 and)
)
 CHARLOTTE-MECKLENBURG BOARD OF)
 EDUCATION,)
 Plaintiff-Intervenor)
)
 and)
)
 RAFAEL PENN, et al., Plaintiff-Intervenors)
)
 v.)
)
 STATE OF NORTH CAROLINA and the STATE)
 BOARD OF EDUCATION, Defendant)
)
 and)
)
 CHARLOTTE-MECKLENBURG BOARD OF)
 EDUCATION,)
 Realigned Defendant)
)
 and)
)
 PHILIP E. BERGER, in his official capacity as)
 President *Pro Tempore* of the North Carolina)
 Senate, and TIMOTHY K. MOORE, in his official)
 capacity as Speaker of the North Carolina House of)
 Representatives, Intervenor-Defendants.)

Wake County

ORDER

Defendant State of North Carolina’s Petition for Discretionary Review Prior to
 Determination by the Court of Appeals and Plaintiff’s Petition for Discretionary
 Review Prior to Determination by the Court of Appeals are allowed. Defendant State
 of North Carolina’s Motion to Set an Expedited Schedule is determined as followed:

This case is remanded to Superior Court, Wake County, for a period of no more than thirty days for the purpose of allowing the trial court to determine what effect, if any, the enactment of the State Budget has upon the nature and extent of the relief that the trial court granted in its 11 November 2021 order. The trial court is instructed to make any necessary findings of fact and conclusions of law and to certify any amended order that it chooses to enter with this Court on or before the thirtieth day following the entry of this order. As soon as the trial court has certified to this Court any amended order that it chooses to enter, this Court will enter any such other and further orders governing the procedures to be followed in this case as it deems necessary. In the meantime, the otherwise-applicable schedule for filing briefs in this case is held in abeyance pending further order of the Court.

By order of the Court in conference, this the 18th day of March 2022.



For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 21st day of March 2022.



GRANT E. BUCKNER
Clerk, Supreme Court of North Carolina



M.C. Hackney
~~Assistant~~ Clerk, Supreme Court of
North Carolina

Copy to:

North Carolina Court of Appeals

Hon. Robert Neal Hunter, Jr., Attorney at Law, For Combs, Linda, State Controller
- (By Email)

Hon. W. David Lee, Senior Resident Judge - (By Email)

Mr. Amar Majmundar, Senior Deputy Attorney General, For State of N.C. - (By
Email)

Mr. Matthew Tulchin, Special Deputy Attorney General, For State of N.C. - (By
Email)

Ms. Tiffany Y. Lucas, Deputy General Counsel, For State of N.C. - (By Email)

Mr. Thomas J. Ziko, Attorney at Law, For State Board of Education - (By Email)

Mr. Neal A. Ramee, Attorney at Law, For Charlotte-Mecklenburg Schools - (By
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Mr. David Nolan, Attorney at Law, For Charlotte-Mecklenburg Schools - (By Email)

Mr. H. Lawrence Armstrong, Attorney at Law, For Hoke County Board of Education,
et al. - (By Email)

Ms. Melanie Black Dubis, Attorney at Law, For Hoke County Board of Education, et
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Mr. Scott B. Bayzle, Attorney at Law, For Hoke County Board of Education, et al. -
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Ms. Elizabeth M. Haddix, Attorney at Law, For Penn, Rafael, et al. - (By Email)

Ms. Kellie Z. Myers, Trial Court Administrator - (By Email)

Ms. Jaelyn D. Miller, Attorney at Law, For Hoke County Board of Education, et al. -
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Mr. Matthew F. Tilley, Attorney at Law, For Berger, Philip E., et al. - (By Email)

Mr. Russ Ferguson, Attorney at Law, For Berger, Philip E., et al. - (By Email)

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