



# North Carolina Court of Appeals

Fax: (919) 831-3615  
Web: <https://www.nccourts.gov>

EUGENE H. SOAR, Clerk  
Court of Appeals Building  
One West Morgan Street  
Raleigh, NC 27601  
(919) 831-3600

Mailing Address:  
P. O. Box 2779  
Raleigh, NC 27602

From Office of Admin. Hearings  
( 22DHR02385 22DHR02385 )

No. 23-672

FLETCHER HOSPITAL INC. d/b/a  
ADVENTHEALTH HENDERSONVILLE,  
Petitioner,

v.

NC DEPARTMENT OF HEALTH AND HUMAN  
SERVICES, DIVISION OF HEALTH SERVICE  
REGULATION, HEALTH CARE PLANNING &  
CERTIFICATE OF NEED SECTION,  
Respondent,

and

MH MISSION HOSPITAL, LLLP,  
Respondent-Intervenor.

## ORDER

The following order was entered:

The motion filed in this cause on the 26th of March 2024 and designated 'Respondent-Intervenor-Appellant MH Mission Hospital, LLLP's Motion for Publication Pursuant to Rule 30(e)(4)' is allowed. IT IS ORDERED that the opinion in this case, previously filed as an unpublished opinion on 19 March 2024 now be published.

By order of the Court this the 8th of May 2024.

WITNESS my hand and official seal this the 8th day of May 2024.

Eugene H. Soar  
Clerk, North Carolina Court of Appeals

Copy to:

Mr. Matthew A. Fisher, Attorney at Law, For MH Mission Hospital, LLLP. - (By Email)  
Mr. Kenneth L. Burgess, Attorney at Law - (By Email)  
Mr. Iain M. Stauffer, Attorney at Law - (By Email)  
Mr. William F. Maddrey, Attorney at Law - (By Email)  
Mr. Frank S. Kirschbaum, Attorney at Law, For Fletcher Hospital Inc., et al - (By Email)  
Mr. Charles George, Attorney at Law - (By Email)

Mr. Trevor P. Presler, Attorney at Law - (By Email)  
Mr. Derek L. Hunter, Special Deputy Attorney General, For NC Department of Health and Human Services, Division of Health Service Regulation, Health Care Planning & Certificate of Need Section - (By Email)  
Mr. Andrew L. Fitzgerald, Attorney at Law - (By Email)  
Mr. Andrew T. Heath, Attorney at Law - (By Email)  
Ms. Maureen D. Murray, Attorney at Law - (By Email)  
Mr. Lorin J. Lapidus, Attorney at Law - (By Email)  
Ms. Candace S. Friel, Attorney at Law - (By Email)  
Mr. Noah H. Huffstetler, III, Attorney at Law - (By Email)  
Mr. D. Martin Warf, Attorney at Law - (By Email)  
Mr. Nathaniel J. Pencook, Attorney at Law - (By Email)  
The Honorable Director and Chief Administrative Law Judge of Admin. Hearings, Office of Admin. Hearings County