

Date Posted: May 16, 2024 03:16 PM

IREDELL COUNTY SUPERIOR COURT CIVIL CALENDAR
SESSION BEGINNING MONDAY, JUNE 10, 2024
COURTROOM NUMBER 3
TONIA A. CUTCHIN ,PRESIDING JUDGE
MOTIONS AND TRIALS BEGINNING MONDAY, JUNE 10, 2024 AT 10:00 AM
Tueresa Hayden
Superior Court Manager
Judicial District 32
226 Stockton Street
Statesville, North Carolina 28677
TELEPHONE: (704) 832-6618
FACSIMILE: (704) 832-6617

REVISED TENTATIVE CIVIL CALENDAR

NEXT AVAILABLE HEARING/TRIAL DATES: 8/5/24, 8/19/24, 8/26/24

The physical and mailing address of the Iredell County Hall of Justice is:
226 Stockton Street, Statesville, North Carolina 28677.

The presiding judge will address matters for hearing on Monday.

IN LIEU OF CALENDAR CALL, TIMES ARE ASSIGNED TO EACH HEARING ON A FIRST-COME,
FIRST-SERVED BASIS. Please include a reasonable time estimate on hearing notices so that
ample hearing time may be allotted to each case.

Remote hearings will be scheduled by request according to necessity and good cause shown;
not as a matter of convenience.

Pre-trial conferences between the parties shall be held no later than 7 days before any
given trial date and a pre-trial order shall be prepared and signed at the pre-trial
conference, in accordance with Rule 7 of the General Rules of Practice for the Superior
and District Courts.

Hearings on pre-trial motions (Motions In Limine, etc.) for the first scheduled trial
will take place at 2:00 PM on Monday of any given trial week. Jurors have been summoned
to report for orientation at 9:00 AM on Tuesday of any given trial week. Counsel/parties
in the first jury trial should report at 9:00 AM on Tuesday. Counsel/parties in
subsequent trials should remain on standby. Witnesses in jury cases should be advised to
appear upon receipt of attorney notification. Witnesses in non-jury cases should be
advised to be on telephone standby.

The court manager should be advised immediately of additions, corrections, settlements,
or other final dispositions of cases appearing on this calendar.

MOTIONS:

1 _____

TIME: 10:00 AM

19-CVS-000280 TAC STAFFORD LLC

TRILLING, MADELINE, J
SCARBROUGH, JAMES, E

-VS-

TOWN OF MOORESVILLE

FLANAGAN, PATRICK, H

EVENT: MOTION

ISSUES: REAL PROPERTY / TITLE

DAYS SINCE FILING: 1933

2

TIME: 10:30 AM

22-CVS-002817	SEALING AGENTS WATERPROOFING INC	MANSOURATY, BRANDY, L
		POOLE, SHAWN, V
	-VS-	
	BRYLER BUILDERS CORP	
	BARTON, MARSHALL	BROTHERTON, J, GRAY

EVENT: MOTION

ISSUES: CONTRACT

DAYS SINCE FILING: 549

Def's (Barton) Motion for Summary Judgment - 10:30 AM on 6/10/24 (30 mins)

3

TIME: 11:00 AM

22-CVS-002613	TAC STAFFORD HOLDINGS LLC	TRILLING, MADELINE, J
	-VS-	
	MOORESVILLE TOWN OF	FLANAGAN, PATRICK, H

EVENT: MOTION

ISSUES: DECLARATORY JUDGMENT

DAYS SINCE FILING: 574

Def's Motion for Summary Judgment - 11:00 AM on 6/10/24 (1 hr; trial date 6/24/24)

4

TIME: 12:00 PM

22-CVS-000201	CASA ADVISORS LLC	CASA, ANGELA
	-VS-	
	SHEETS, BRANDON	DONALDSON, KEVIN, C
		CHILDERS, MARK, L
	TRASCERA INVESTMENTS LLC	DONALDSON, KEVIN, C
	CHANDLEES, JAMES	DONALDSON, KEVIN, C
	TRISTONE INVESTMENTS LLC	DONALDSON, KEVIN, C
	604 E IREDELL AVE LLC	DONALDSON, KEVIN, C
	CASA, KATHERINE	CASA, ANGELA
	CASA, ANTHONY	CASA, ANGELA

EVENT: MOTION

ISSUES: CONTRACT

DAYS SINCE FILING: 839

Defs' Motions (tent) - 12:00 PM on 6/10/24

5

TIME: 02:00 PM

19-CVS-002237	DEPT OF TRANSPORTATION	CARPENTER, JODI, P
	-VS-	
	MOORESVILLE CROSSING LP	MERCER, CHARLES, H, JR

BED BATH & BEYOND INC

OLD NAVY LLC

PETCO ANIMAL SUPPLIES STORES INC

HOLLANDER, REED, J
HOLLANDER, REED, J
MERCER, CHARLES, H, JR
MERCER, CHARLES, H, JR
HOLLANDER, REED, J
HOLLANDER, REED, J
MERCER, CHARLES, H, JR

EVENT: MOTION

ISSUES: CONDEMNATION

DAYS SINCE FILING: 1744

Pretrial Motions - 2:00 PM on 6/10/24 (1 hr; trial date 6/10/24)

6

TIME: 03:00 PM

23-CVS-002714 MURPHY, NORMAN, D
-VS-
REHRER, TYLER, MICHAEL

PARKER, W, CAREY

FOX, STEVEN, B

EVENT: MOTION

ISSUES: MOTOR VEHICLE NEGLIGENCE

DAYS SINCE FILING: 219

Def's Motion for Sanctions - 3:00 PM on 6/10/24 (30 mins)

7

TIME: 03:30 PM

21-CVS-002565 SOLIS, LAZARO
-VS-
KIRK, JONATHAN
NIGHTMARE IN CAROLINA LLC

DARTY, JORDAN, P

PRO SE

EVENT: MOTION

ISSUES: CONTRACT

DAYS SINCE FILING: 973

Plf's Motion for Preliminary Hearing to Determine Publication - 3:30 PM on
6/10/24 (30 mins; continued from 1 session)

8

TIME: 04:00 PM

24-CVS-000183 LEE, SAMUEL
-VS-
COVENANT TRANSPORT INC
INS TRANSPORTATION LLC
I&S TRANSPORTATION LLC

DOE, JOHN
RYDER SYSTEM INC

LUCENTE, STEVEN, A

HOFFMAN, DANA, H

JEFFRIES, JOHN, T
MCCLAIN, CHANDA, L

EVENT: MOTION

ISSUES: MOTOR VEHICLE NEGLIGENCE

DAYS SINCE FILING: 119

Plf's Motion to Amend Complaint - 4:00 PM on 6/10/24 (15 mins; related to 24 CVS 617)

9

TIME: 04:15 PM

24-CVS-000617	MITCHUM, MELVA, D	LUCENTE, STEVEN, A
	-VS-	
	RYDER SYSTEM INC	
	COVENANT TRANSPORT INC	HOFFMAN, DANA, H
	INS TRANSPORTATION LLC	
	I&S TRANSPORTATION LLC	
	DRIVER JOHN DOE	

EVENT: MOTION

ISSUES: MOTOR VEHICLE NEGLIGENCE

DAYS SINCE FILING: 80

Plf's Motion to Amend Complaint - 4:15 PM on 6/10/24 (15 mins; related to 24 CVS 183)

10

TIME: 04:30 PM

23-CVS-003118	MEDALI INVESTMENTS LLC	DONALDSON, KEVIN, C
	-VS-	
	P&C RESTAURANT AND BAR LLC	LASSITER, T, MICHAEL, JR
	PORTER, PATRICIA	LASSITER, T, MICHAEL, JR
	PORTER, CURT	LASSITER, T, MICHAEL, JR

EVENT: MOTION

ISSUES: MONEY OWED

DAYS SINCE FILING: 181

Plf's Motion to Consolidate (tent) - 4:30 PM on 6/10/24 (15 mins; related to 23 CVS 3141)

11

TIME: 04:45 PM

23-CVS-003141	P&C RESTAURANT & BAR LLC	LASSITER, T, MICHAEL, JR
	-VS-	
	MEDALI INVESTMENTS LLC	DONALDSON, KEVIN, C

EVENT: MOTION

ISSUES: MONEY OWED

DAYS SINCE FILING: 177

Def's Motion to Consolidate (tent) - 4:45 PM on 6/10/24 (15 mins; related to 23 CVS 3118)

12

TIME: TBD

23-CVS-002375 HAYES, GRANT, BARTON
-VS-
HUBBARD, RICHARD, SCOTT

VERMITSKY, JOHN, C

MORRIS, GENA, G

EVENT: MOTION

ISSUES: ALIENATION OF AFFECTION

DAYS SINCE FILING: 253

Def's Motion to Dismiss - time/date to be determined (1 hr)

13

TIME: TBD

24-E-000165 RENEGAR, JADE, FLORY
-VS-
FLORY, SETH, NEHEMIAH EST
FLORY, MARK, ALLEN
FLORY, MARK, ALLEN FID

PRESSLY, EDWIN, A

PRIVETTE, ANTHONY, S
PRIVETTE, ANTHONY, S
PRIVETTE, ANTHONY, S

EVENT: MOTION

ISSUES: OTHER-SEE VCAP

DAYS SINCE FILING: 93

Petr's Appeal - time/date to be determined (1 hr)

JURY TRIALS:

1

19-CVS-002237 DEPT OF TRANSPORTATION
-VS-
MOORESVILLE CROSSING LP

BED BATH & BEYOND INC

OLD NAVY LLC

PETCO ANIMAL SUPPLIES STORES INC

CARPENTER, JODI, P

MERCER, CHARLES, H, JR
HOLLANDER, REED, J
HOLLANDER, REED, J
MERCER, CHARLES, H, JR
MERCER, CHARLES, H, JR
HOLLANDER, REED, J
HOLLANDER, REED, J
MERCER, CHARLES, H, JR

EVENT: JURY TRIAL

DAYS SINCE FILING: 1744

Condemnation

2

19-CVS-002377 DEPT OF TRANSPORTATION
-VS-
MEDFORD, CHRISTOPHER, C

MEDFORD, KIMBERLY, L

CAROLINA BUSINESS CAPITAL INC

CARPENTER, JODI, P

GRIMES, L, CHARLES
YEOMAN, RICHARD, D
YEOMAN, RICHARD, D
GRIMES, L, CHARLES

EVENT: JURY TRIAL

DAYS SINCE FILING: 1730

Condemnation

3

20-CVS-001545	DEPT OF TRANSPORTATION	REGINA, JODI, L
-VS-		
	SUMMIT REALTY & DEVELOPMENT LLC	YARBOROUGH, GARRIS, N
	FIRST NATL BANK OF PA	

EVENT: JURY TRIAL

DAYS SINCE FILING: 1424

Condemnation

4

20-CVS-001798	DEPT OF TRANSPORTATION	REGINA, JODI, L
-VS-		
	INTERSTATE DEVELOPMENT CO	YARBOROUGH, GARRIS, N

EVENT: JURY TRIAL

DAYS SINCE FILING: 1396

Condemnation - continued to 11/4/24

5

22-CVS-000734	RACEWAY PARTNERS LLC	DONALDSON, KEVIN, C
-VS-		
	ENCORE BUILDING GROUP LLC	VOGEL, KATHLEEN, L
	WATERS, STEVEN, A	VOGEL, KATHLEEN, L
	GLACIER CONSTRUCTION LLC	DONALDSON, KEVIN, C

EVENT: JURY TRIAL

DAYS SINCE FILING: 779

Contract - continued to May administrative session

6

22-CVS-001058	FOUNDATION HOMES RESIDENTIAL LLC	GARFUNKEL, JOSEPH, J
		ROBERTSON, R, LEE, JR
-VS-		
	RUDNITSKI, CHRISTOPHER, THOMAS	BENTON, MATTHEW, L
	RUDNITSKI, MICHELLE	BENTON, MATTHEW, L

EVENT: JURY TRIAL

DAYS SINCE FILING: 744

Contract

7

22-CVS-001160	DEPARTMENT OF TRANSPORTATION	CARPENTER, JODI, P
-VS-		
	YATES, MARTHA, JO	CHILDERS, MARK, L

EVENT: JURY TRIAL

DAYS SINCE FILING: 731

Condemnation

8

23-CVS-000183 BRAWLEY DOWNS LLC DONALDSON, KEVIN, C
-VS-
LITSEY, JAMES, WILLIAM MUCKENFUSS, ROBERT, A
POINT BLANK INVESTMENTS LLC MUCKENFUSS, ROBERT, A

EVENT: JURY TRIAL

DAYS SINCE FILING: 477

Contract

9

23-CVS-000492 RYOTI, RAMON, D DIEKHAUS, TYLER, A
-VS-
HUGHES, JOE, D BENTON, MATTHEW, L
RYOTI INC DIEKHAUS, TYLER, A

EVENT: JURY TRIAL

DAYS SINCE FILING: 444

Contract

DISTRIBUTION LIST
IREDELL COUNTY SUPERIOR COURT CIVIL CALENDAR
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THE HONORABLE TONIA A. CUTCHIN, PRESIDING JUDGE
MOTIONS AND TRIALS BEGINNING MONDAY, JUNE 10, 2024, AT 10:00 AM

Prepared May 16, 2024

BENTON, MATTHEW, L	335 N Center St	704-878-0757
	Statesville, NC 28677	
BROTHERTON, J, GRAY	PO Box 30848	704-372-1360
	Charlotte, NC 28230	
CARPENTER, JODI, P	1505 Mail Service Center	919-707-4480
	Raleigh, NC 27699-1505	
CASA, ANGELA	400 N Harbor Pl	980-443-4500
	Ste F	
	Davidson, NC 28036	
CHILDERS, MARK, L	PO Box 3010	704-664-1127
	Mooresville, NC 28117	
DARTY, JORDAN, P	210 E Water St	704-881-0043
	Statesville, NC 28677	
DIEKHAUS, TYLER, A	PO Box 3010	704-644-1127
	Mooresville, NC 28117	
DONALDSON, KEVIN, C	PO Box 3010	704-664-1127
	Mooresville, NC 28117	
FLANAGAN, PATRICK, H	PO Box 30787	704-332-8300
	Charlotte, NC 28230	
FOX, STEVEN, B	PO Box 1898	336-272-4810
	Greensboro, NC 27402-1898	
GARFUNKEL, JOSEPH, J	2730 E WT Harris Blvd	704-597-5774
	Ste 101	
	Charlotte, NC 28213-4108	
GRIMES, L, CHARLES	179 Gasoline Alley	704-321-4878
	Ste 102-A	
	Mooresville, NC 28117	
HOFFMAN, DANA, H	3101 Glenwood Ave	919-782-6860
	Ste 200	
	Raleigh, NC 27612	

HOLLANDER, REED, J	301 Hillsborough St Ste 1400 Raleigh, NC 27603	919-329-3800
JEFFRIES, JOHN, T	6302 Fairview Rd Ste 700 Charlotte, NC 28210	704-405-4571
LASSITER, T, MICHAEL, JR	P0 Box 548 Statesville, NC 28687	704-873-2295
LUCENTE, STEVEN, A	2907 Providence Rd Ste 303 Charlotte, NC 28211	704-626-6552
MANSOURATY, BRANDY, L	P0 Box 2888 Greensboro, NC 27402	336-378-1431
MCCLAIN, CHANDA, L	6302 Fairview Rd Ste 700 Charlotte, NC 28210	984-229-8584
MERCER, CHARLES, H, JR	301 Hillsborough St Ste 1400 Raleigh, NC 27603	919-329-3800
MORRIS, GENA, G	525 N Tryon St Ste 700 Charlotte, NC 28202	704-372-9870
MUCKENFUSS, ROBERT, A	201 N Tryon St Ste 3000 Charlotte, NC 28202	704-343-2000
PARKER, W, CAREY	224 Davie Ave Statesville, NC 28677	704-871-0300
POOLE, SHAWN, V	P0 Box 2888 Greensboro, NC 27402-2888	336-378-1431
PRESSLY, EDWIN, A	224 Harrill St Statesville, NC 28677	704-871-1989
PRIVETTE, ANTHONY, S	3475 E Broad St Statesville, NC 28625	704-872-8125
REGINA, JODI, L	1505 Mail Service Ctr Raleigh, NC 27699-1505	919-707-4480
ROBERTSON, R, LEE, JR	2730 East WT Harris Blvd Ste 101 Charlotte, NC 28213-4108	704-597-5774
SCARBROUGH, JAMES, E	141 Union Street South Concord, NC 28025	704-782-3112
TRILLING, MADELINE, J	133 Deaver Ridge Rd Marshall, NC 28753	704-782-3112
VERMITSKY, JOHN, C	P0 Box 25226 Winston-Salem, NC 27114-5226	336-760-1400
VOGEL, KATHLEEN, L	139A E Broad St Statesville, NC 28677	704-878-6400
YARBOROUGH, GARRIS, N	P0 Box 705 Fayetteville, NC 28302	910-433-4433
YEOMAN, RICHARD, D	P0 Box 4232 Mooresville, NC 28117	704-321-4878
*BRYLER BUILDERS CORP	P0 Box 471277 Charlotte, NC 28247-1277	
*CAROLINA BUSINESS CAPITAL INC	1307 West Morehead Street Suite 201 Charlotte, NC 28208	
*DOE, JOHN		
*DRIVER JOHN DOE		
*FIRST NATL BANK OF PA	4131 Parklake Ave Suite 400 Raleigh, NC 27612	
*I&S TRANSPORTATION LLC		
*INS TRANSPORTATION LLC	305 Sims Park Ave Suwanee, GA 30024	

*INS TRANSPORTATION LLC 305 Sims Park Place
Suwanee, GA 30024

*KIRK, JONATHAN
*NIGHTMARE IN CAROLINA
LLC
*RYDER SYSTEM INC 801 N Us Hwy 1
North Palm Beach, FL 33408
*RYDER SYSTEM INC 801 North Us Highway 1
North Palm Beach, FL 33408

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END