

File No.

21 CVD 211

**LEAD DOCUMENT FOR  
SCANNING**

**AUDIT TRAIL**

| Date Filmed | Description | Film No. |
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| 8-31-21     | JMT         | 21-22    |
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STATE OF NORTH CAROLINA

Blaywood County

File No.

21 CVM 28

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$

126.00

CIVIL RECEIPTING FORM

Payer Name:

(Party to case)

Rogers Last Name Michael First Name

Middle Name

Payee Name:

(Paid by whom, e.g., name of attorney, interested party, etc.)

Same Last Name

First Name

Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES:

- (CVSC) Superior \$ 200.00
  - (CVDC) District \$ 150.00
  - (CVMC) Small Claim \$ 96.00
  - (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00
  - (CVBC) Business Court \$ 1,300.00
- (Account Code If City Facility \_\_\_\_\_)

Transfer of jurisdiction from one court to another within the same county

- From Mag to DC (21220-\$50.00, 22220-\$4.00) \$ 54.00
- From DC to SC (21120) \$ 50.00
- MISC FILING FEE (21435) \$

SERVICE FEES:

- WRIT OF EXECUTION (21430) \$
  - WRIT OF POSSESSION (21430) \$
  - SHERIFF (22515) \$ 30.00
  - Other Agency Service Acct. \$
- ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
- 21455 \$ 15.00

MISCELLANEOUS FEES:

- ARBITRATION APPEAL (24310) \$ 100.00
- CIVIL MOTIONS (21450) \$ 20.00
- CONFESS JUDGMENT (21400) \$ 25.00
- COPY (21410) \$
- (OSA) OUT OF STATE ATTY. \$ 225.00
- SUPPLEMENTAL PRO. (21400) \$ 30.00
- TRANSCRIPTS (21440) \$ 10.00
- OTHER (ACCT # \_\_\_\_\_) \$
- REFUND/OVERPAYMENT (29100) \$

JUDGMENT PAYMENT: (Abstracted) 26115 (CV OR M)

- Full \$
- Partial \$

DEPOSITS:

- RENT BONDS (26220) \$

APPROVAL:

REVIEWED BY: [Signature]

DATE: 2/8/21

FILING FEES:

- (CDDC) Divorce/DV Center Fund \$ 225.00
- (\$150 filing fee + \$75 DV Center Fund)
- (CDDC) with former name resumption \$ 235.00
- (+\$10.00 to 21400)
- (CVDC) Divorce from Bed & Board \$ 150.00
- Registrations 'R' (21400) \$
- Other \$
- MISC FILING FEE (21435) \$

SERVICE FEES:

- WRIT OF POSSESSION (21400)
  - (when a writ of possession is on a non-monetary judgment or old book and page is in existence)
  - SHERIFF (22515) \$
  - Other Agency Service Acct. \$
- ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
- 21455 \$ 15.00

MISCELLANEOUS FEES:

- ARBITRATION FEES (24311) \$
- (Only if CVD)
- CIVIL MOTIONS (21450) \$ 20.00
- CONFESS JUDGMENT (21400) \$ 25.00
- COPY (21410) \$
- SUPPLEMENTAL PRO. (21400) \$ 30.00
- OTHER (ACCT # \_\_\_\_\_) \$
- REFUND/OVERPAYMENT (29100) \$

JUDGMENT PAYMENT: (Old Docketed)

- Full (26110) \$
- Partial Book \_\_\_\_\_ Page \_\_\_\_\_

DEPOSITS:

- RENT BONDS (26220) \$
- CIVIL SURPLUS FUNDS (26600) \$
- CIVIL TRUST RECEIPT (26310) \$
- CIVIL BONDS (26210) \$
- CLAIM OF LIEN BOND (26600) \$
- CONDEMNATIONS (26130) \$
- DISPUTED FUNDS (26600) \$
- INTERPLEADER (26600) \$

STATE OF NORTH CAROLINA

Haywood County

File No.

21CVm28

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$

1500

CIVIL RECEIPTING FORM

Payer Name: (Party to case)

Currin

Last Name

Cody

First Name

Middle Name

Payee Name: (Paid by whom, e.g., name of attorney, interested party, etc.)

Same

Last Name

First Name

Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES:

- (CVSC) Superior \$ 200.00
(CVDC) District \$ 150.00
(CVMC) Small Claim \$ 96.00
(CVAC) Appeal - Magistrate (Mag) to DC \$ 1500
(CVBC) Business Court \$ 1,300.00
Transfer of jurisdiction from one court to another within the same county
From Mag to DC (21220-\$50.00, 22220-\$4.00) \$ 54.00
From DC to SC (21120) \$ 50.00
MISC FILING FEE (21435) \$

FILING FEES:

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(+\$10.00 to 21400)
(CVDC) Divorce from Bed & Board \$ 150.00
Registrations 'R' (21400) \$
Other \$
MISC FILING FEE (21435) \$

SERVICE FEES:

- WRIT OF EXECUTION (21430) \$
WRIT OF POSSESSION (21430) \$
SHERIFF (22515) \$
Other Agency Service Acct. \$
ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
21455 \$ 15.00

SERVICE FEES:

- WRIT OF POSSESSION (21400)
(when a writ of possession is on a non-monetary judgment or old book and page is in existence)
SHERIFF (22515) \$
Other Agency Service Acct. \$
ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
21455 \$ 15.00

MISCELLANEOUS FEES:

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CIVIL MOTIONS (21450) \$ 20.00
CONFESS JUDGMENT (21400) \$ 25.00
COPY (21410) \$
(OSA) OUT OF STATE ATTY. \$ 225.00
SUPPLEMENTAL PRO. (21400) \$ 30.00
TRANSCRIPTS (21440) \$ 10.00
OTHER (ACCT #) \$
REFUND/OVERPAYMENT (29100) \$

MISCELLANEOUS FEES:

- ARBITRATION FEES (24311) \$
(Only if CVD)
CIVIL MOTIONS (21450) \$ 20.00
CONFESS JUDGMENT (21400) \$ 25.00
COPY (21410) \$
SUPPLEMENTAL PRO. (21400) \$ 30.00
OTHER (ACCT #) \$
REFUND/OVERPAYMENT (29100) \$

JUDGMENT PAYMENT: (Abstracted) 26115 (CV OR M)

- Full \$
Partial \$

JUDGMENT PAYMENT: (Old Docketed)

- Full (26110) \$
Partial Book Page

DEPOSITS:

- RENT BONDS (26220) \$

DEPOSITS:

- RENT BONDS (26220) \$
CIVIL SURPLUS FUNDS (26600) \$
CIVIL TRUST RECEIPT (26310) \$
CIVIL BONDS (26210) \$
CLAIM OF LIEN BOND (26600) \$
CONDEMNATIONS (26130) \$
DISPUTED FUNDS (26600) \$
INTERPLEADER (26600) \$

APPROVAL:

REVIEWED BY: AMP
DATE: 3-8-2021

STATE OF NORTH CAROLINA

Haywood County

No. 21 CVM 28  
In The General Court Of Justice

Name And Address Of Plaintiff  
Michael G. Rogers  
100 Nettie Drive  
Waynesville, N.C 28786

Name And Address Of Defendant  
Cody Curran  
4097 Soco Inn  
Maggie Valley, N.C.

FILED  
2021 FEB -8 PH 2:15  
SERVICEMEMBERS CIVIL RELIEF ACT  
AFFIDAVIT  
WAYWOOD COUNTY, C.S.C.  
G.S. Ch. 127B, Art. 4; 50 U.S.C. 3901 to 4043

NOTE: Though this form may be used in a Chapter 45 Foreclosure action, it is not a substitute for the certification that may be required by G.S. 45-21.12A.

AFFIDAVIT

I, the undersigned Affiant, under penalty of perjury declare the following to be true:

- 1. As of the current date: (check one of the following)
  - a. I have personal knowledge that the defendant named above is in military service.\*
  - b. I have personal knowledge that the defendant named above is not in military service.\*
  - c. I am unable to determine whether the defendant named above is in military service.\*
- 2. As of the current date, I  have  have not received a copy of a military order from the defendant named above relating to State active duty as a member of the North Carolina National Guard or service similar to State active duty as a member of the National Guard of another state. See G.S. 127B-27 and G.S. 127B-28(b).
- 3. I  used  did not use the Servicemembers Civil Relief Act Website (<https://scra.dmdc.osd.mil/>) to determine the defendant's federal military service.
  - The results from my use of that website are attached.

(NOTE: The Servicemembers Civil Relief Act Website is a website maintained by the Department of Defense (DoD). If DoD security certificates are not installed on your computer, you may experience security alerts from your internet browser when you attempt to access the website. Members of the North Carolina National Guard under an order of the Governor of this State and members of the National Guard of another state under an order of the governor of that state will not appear in the SCRA Website database.)

4. The following facts support my statement as to the defendant's military service: (State how you know the defendant is or is not in the military. Be specific.)  
As far as the last year he has never told me he is or was in military

\*NOTE: The term "military service" includes the following: active duty service as a member of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; service as a member of the National Guard under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days for purposes of responding to a national emergency; active service as a commissioned officer of the Public Health Service or of the National Oceanic and Atmospheric Administration; any period of service during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. 50 U.S.C. 3911(2). The term "military service" also includes the following: State active duty as a member of the North Carolina National Guard under an order of the Governor pursuant to Chapter 127A of the General Statutes, for a period of more than 30 consecutive days; service as a member of the National Guard of another state who resides in North Carolina and is under an order of the governor of that state that is similar to State active duty, for a period of more than 30 consecutive days. G.S. 127B-27(3) and G.S. 127B-27(4).

|   |                                 |                                 |                   |
|---|---------------------------------|---------------------------------|-------------------|
| SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME  |                                 | Date                            | 2-08-21           |
| Date  | 2/8/21                          | Signature Of Affiant            | Michael G. Rogers |
| Signature Of Person Authorized To Administer Oaths  | [Signature]                     | Name Of Affiant (type or print) | Michael G Rogers  |
| <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Magistrate |                                 | Date My Commission Expires      |                   |
| SEAL  | <input type="checkbox"/> Notary |                                 |                   |

NOTE TO COURT: Do not proceed to enter judgment in a non-criminal case in which the defendant has not made an appearance until a Servicemembers Civil Relief Act affidavit (whether on this form or not) has been filed, and if it appears that the defendant is in military service, do not proceed to enter judgment until such time that you have appointed an attorney to represent him or her.

(Over)

File No. 21 CVM 28

COMPLAINT FOR MONEY OWED

G.S. 7A-216, 7A-232

STATE OF NORTH CAROLINA

Haywood County

In The General Court Of Justice District Court Division-Small Claims

- 1. The defendant is a resident of the county named above.
2. The defendant owes me the amount listed for the following reason:

Name And Address Of Plaintiff: Michael G Rogers Electrical, 100 Nettie Drive, Waynesville, N.C. 28786

Table with 2 columns: Amount Owed, Amount. Rows: Principal Amount Owed (\$4,342.75), Interest Owed (Civil papers) (\$130.00), Total Amount Owed (\$4,502.75).

(check one below)

County: Haywood, Telephone No.: 828-734-0359

On An Account (attach a copy of the account)

Date From Which Interest Due, Interest Rate

VERSUS

For Goods Sold And Delivered Between

Beginning Date: 12-14-20, Ending Date: 12-20-20, Interest Rate

Name And Address Of Defendant 1: Cody Currin - Our Place Inn, 4077 Soco Road, Maggie Valley, N.C.

For Money Lent

Date From Which Interest Due, Interest Rate

On a Promissory Note (attach copy)

Date Of Note, Date From Which Interest Due, Interest Rate

For a Worthless Check (attach a copy of the check)

For conversion (describe property) Our Place Inn apartment A+B

County: HAYWOOD, Telephone No.: 910-890-4173

Name And Address Of Defendant 2

Other: (specify)

FILED 2021 FEB - 8 PM 2:12 HAYWOOD COUNTY, C.S.C.

County, Telephone No.

Name And Address Of Plaintiff's Attorney

I demand to recover the total amount listed above, plus interest and reimbursement for court costs.

Date: 2-8-21

Name Of Plaintiff Or Attorney (Type Or Print): Michael G. Rogers

Signature Of Plaintiff Or Attorney: Michael G. Rogers

(Over)

C20210313

STATE OF NORTH CAROLINA

File No.

21 CVM 28

Haywood County FILED

In The General Court Of Justice  
District Court Division - Small Claims

Plaintiff(s)  
Michael G. Rogers

2021 FEB -8 PM 2:13  
HAYWOOD COUNTY, C.S.

MAGISTRATE SUMMONS  
ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rule 4; 7A-217, -232

VERSUS  
Defendant(s)  
Cody Carrin

Date Original Summons Issued  
Date(s) Subsequent Summons(es) Issued

TO  
Name And Address Of Defendant 1  
4077 Soco Road  
Maggie Valley, N.C.

TO  
Name And Address Of Defendant 2

Telephone No. Of Defendant 1

Telephone No. Of Defendant 2

A Small Claim Action Has Been Commenced Against You!

You are notified to appear before the magistrate at the specified date, time, and location of trial listed below. You will have the opportunity at the trial to defend yourself against the claim stated in the attached complaint.

You may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court at any time before the time set for trial. Whether or not you file an answer, the plaintiff must prove the claim before the magistrate.

If you fail to appear and defend against the proof offered, the magistrate may enter a judgment against you.

|   |        |               |   |  |   |
|---|--------|---------------|---|--|---|
| Date Of Trial   | 3/2/21 | Time Of Trial | 10:30 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Location Of Court                              | Haywood Co. Justice Center  |
| Name And Address Of Plaintiff Or Plaintiff's Attorney |        |               |   | Date Issued                                    | 2/8/21  |
|   |        |               |   | Signature                                      | <i>R. J. [Signature]</i>  |
|   |        |               |   | <input checked="" type="checkbox"/> Deputy CSC | <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court |

RECEIVED  
FEB 09 2021

(Over)

File No.  
21 CVM 28

Film No.  
21-7

Judgment Docket Book And Page No.

**JUDGMENT  
IN ACTION TO RECOVER  
MONEY OR  
PERSONAL PROPERTY**  
G.S. 7A-210(2), 7A-224

Name And Address Of Plaintiff  
MICHAEL G ROGERS ELECTRICAL  
100 NETTIE DRIVE  
WAYNESVILLE NC 28786

County Telephone No.

**VERSUS**

Name And Address Of Defendant 1  
CURRIN, CODY  
C/O OUR PLACE INN  
MAGGIE VALLEY NC

County Telephone No.  
HAYWOOD 910 890-4173

Name And Address Of Defendant 2

County Telephone No.

Name And Address Of Plaintiff's Attorney

**STATE OF NORTH CAROLINA**

HAYWOOD County

In The General Court Of Justice  
District Court Division-Small Claims

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

**FINDINGS**

- The Court finds that:
- the plaintiff has proved the case by the greater weight of the evidence.
  - the plaintiff has failed to prove the case by the greater weight of the evidence.
  - the defendant(s)  was  was not present at trial.
  - the case involves a breach of contract and the date of breach is: 12/15/2020
  - the contract provides for pre-judgment interest on damages for breach at the rate of \_\_\_\_\_% and/or post-judgment interest at the rate of \_\_\_\_\_%.
  - the contract does not provide a specific pre-judgment interest rate.
  - the contract does not provide a specific post-judgment interest rate.
  - Other:

**ORDER**

- It is ORDERED that:
- the plaintiff recover possession of the personal property described in the complaint.
  - the plaintiff recover possession of the personal property listed below:
  - the plaintiff recover nothing of the defendant(s) and that this action be dismissed with prejudice.
  - (for breach of contract cases) the plaintiff recover of the defendant(s) the following principal sum plus interest on the principal from the date of breach to the date of judgment (1) at the rate provided in the contract, as found above; or (2) at the legal rate. In addition, the principal shall bear interest from the date of judgment until the judgment is satisfied (1) at the rate provided in the contract, as found above; or (2) at the legal rate.
  - (for tort cases) the plaintiff recover of the defendant(s) the following principal sum, plus interest at the legal rate from the date the action was instituted until judgment is satisfied.
  - Other: (specify)
  - Costs of this action are taxed to the  plaintiff.  defendant.

|   |                   |  |
|---|-------------------|--|
| Principal Sum Of Judgment                           | \$ 4372.75        | Name Of Judgment Debtor(s) From Whom Amount Recovered                |
| Pre-judgment Interest Not Included In Principal     | \$ —              | <input type="checkbox"/> Judgment Announced And Signed In Open Court |
| Attorney's Fees Or Other Damages (when appropriate) | \$ —              | Date: 03/04/21 Signature Of Magistrate: L. Meisler                   |
| <b>TOTAL AMOUNT</b>                                 | <b>\$ 4372.75</b> | Name Of Party Announcing Appeal In Open Court                        |

**CERTIFICATION**

**NOTE:** To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial. I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date: 03/04/21 Signature Of Magistrate: L. Meisler

**STATE OF NORTH CAROLINA**

File No. 21 CVM 28

Judgment Abstract No.

Haywood County FILED

Michael G Rogers Electric 2021 MAR -8 PM 1:44

In The General Court Of Justice  
District Court Division - Small Claims

Name Of Plaintiff HAYWOOD COUNTY, C.S.C.

**VERSUS**

Name Of First Defendant Caly Curtin BY \_\_\_\_\_

Name Of Second Defendant

**NOTICE OF APPEAL  
TO DISTRICT COURT**

G.S. 7A-228, 7A-230

**TO THE CLERK OF SUPERIOR COURT:**

As the  plaintiff  defendant in the above-captioned action, I hereby give written Notice of Appeal on the judgment entered. This Notice is given within ten (10) days after the date the judgment in this action was entered.

I certify that today I have served copies of this Notice to all parties involved in this action.

I understand that I must pay to the Clerk of Superior Court the court costs for appeal within twenty (20) days after the magistrate rendered judgment (ten (10) days in summary ejection cases), unless I am authorized to appeal as an indigent, or my appeal will be dismissed. If I am the defendant, I also understand that in certain cases if I wish to stay execution of the judgment, I may be required to sign a bond and that the plaintiff may have an execution issued after ten (10) days if I have not signed the required bond.

Also, I demand that this Appeal be tried before a  judge.  jury.

|   |  |   |  |
|---|--|---|--|
| Date Of Entry Of Judgment<br><u>3/4/21</u>      | Date Of Appeal<br><u>3-8-2021</u>                    | Date Costs Paid                           | Amount Of Court Costs Paid<br><u>\$150</u>     |
| Name Of Appealing Party 1<br><u>Caly Curtin</u> | Signature Of Appealing Party 1<br><u>[Signature]</u> | Name Of Appealing Party 2 (if applicable) | Signature Of Appealing Party 2 (if applicable) |

**NOTICE TO THE APPEALING PARTY**

**NOTICE OF APPEAL**

If you did not give Notice of Appeal to the magistrate in open court at the time the judgment was rendered, you may file this written Notice of Appeal with the clerk within ten (10) days after the judgment is entered. You have a right to request a trial by jury. If you do not ask for a jury trial, you will be given a trial by a judge without a jury. You must mail or deliver copies of this form to all of the other parties. If you mail them before filing this form with the Clerk, check the block in the body of the form indicating you have served the parties and fill out the back of the original of this form. If you mail copies after filing this form with the Clerk, you must file a separate certification of service with the Clerk. You must file an answer to the allegation if the complaint is a violation of G.S. 42-63 (criminal activity). G.S. 42-68(3).

**MANDATORY ARBITRATION**

Many counties have mandatory arbitration programs in which appeals from small claims court are heard by an arbitrator before they go to a district court trial. You will be notified if your case is assigned for mandatory arbitration and, if so, what you must do.

**COURT COSTS**

Within ten (10) days after the magistrate's judgment is entered in a summary ejection case, and within twenty (20) days in all other cases, you MUST PAY to the clerk in cash the court costs for appealing the case, or your appeal will be dismissed. If you cannot afford to pay the appeal costs, you may ask the clerk for the form to appeal as an indigent (AOC-G-106). You must file the form to appeal as an indigent within ten (10) days after the judgment was entered. If the appealing party petitions to qualify as an indigent, and the petition is denied, that party has an additional five (5) days to perfect the appeal by paying the court costs.

**STOPPING ENFORCEMENT OF JUDGMENT**

**Summary ejection:**

If you are a tenant appealing from a summary ejection judgment entered against you and you wish to stay on the premises until the appeal is heard, you must SIGN A BOND that you will pay your rent as it becomes due into the Clerk's office; you must PAY IN CASH the amount of rent in arrears as determined by the magistrate; and if the judgment was entered more than five (5) days before the next rental payment is due, you may also have to PAY IN CASH the prorated amount of rent due from the date the judgment was entered until the next rental payment is due. Ask the clerk for the bond form (AOC-CVM-304) to allow you to stay on the premises. If you have not signed this bond and paid the prorated amount of cash within ten (10) days after the judgment was entered, the landlord can ask to have the sheriff remove you from the premises even though the case is being appealed.

**Possession of personal property:**

If the magistrate's judgment ordered you to return specific personal property to the other party and you wish to continue to hold that property until the appeal is heard, you must sign a bond, signed by at least one surety, that you and the surety will pay any costs and damages if you do not comply with the judgment of the district court. Ask the clerk for the bond form (AOC-CVM-906M). If you have not signed this bond within ten (10) days after the judgment was entered, the other party can ask to have the sheriff take the property from you even though the case is being appealed.

**Money judgment:**

If a money judgment has been entered against you, you do not need to sign a bond to stop enforcement. The judgment is automatically stayed until the appeal is heard.

(Over)



HAYWOOD County

Name And Address Of Plaintiff(s)  
MICHAEL G ROGERS ELECTRICAL  
100 Nettie Drive  
Waynesville, NC 28786

2021 APR 19 PM 3:43

HAYWOOD COUNTY, C.S.C.

**ARBITRATION**

**NOTICE OF CASE SELECTION FOR  
ARBITRATION**

**VERSUS**

Name And Address Of Defendant(s)  
CURRIN, CODY  
C/O Our Place Inn  
4077 Soco Road  
Maggie Valley, NC

G.S. 7A-37.1; Rules 1, 2, 6, and 9 of the Rules for  
Court-Ordered Arbitration in North Carolina

TAKE NOTICE that this case has been assigned to arbitration pursuant to G.S. 7A-37.1 and the Rules for Court-Ordered Arbitration.

Further notice will be given of the date, time and place of the hearing which will be scheduled by the person named below in accordance with Rule 6 of the Rules.

Date  
April 15, 2021

Signature

*Rachel L. Watson*

Trial Court Administrator's Staff  
 District Court Judge's Staff

**ARBITRATION**

The Court automatically assigns to arbitration all civil cases filed in district court with several classes of cases specifically excepted in the rules, including: domestic cases, class actions, special proceedings, wills and estates, summary ejectments, and condemnation actions. See Rule 2(a)(1) of the Rules for Court-Ordered Arbitration in North Carolina.

The Court selects and maintains a list of qualified arbitrators who are experienced trial attorneys. The Court will appoint an arbitrator from the Court's list in accordance with Rule 4 of the Rules for Court-Ordered Arbitration in North Carolina.

All parties in this civil action shall be present at the hearing in person or through counsel. Parties may appear pro se as permitted by law. The parties may agree in writing to rely on stipulations and/or statements rather than live testimony of witnesses.

The time allocated for the entire hearing is one hour. Traditional rules of evidence and procedure will not apply, but shall be considered as a guide toward full and fair development of the facts. The arbitrator will render a decision within three (3) days after the hearing. The award is not binding. Any party dissatisfied with the outcome can reject the award and have a trial de novo after proper motion before the Court. The award rejection and demand for a trial de novo must be filed with the Court within thirty (30) days after the service of the arbitrator's award. The rejecting party must also pay a fee equivalent to the arbitrator's compensation unless the party is found to be indigent or partially indigent. This fee will be returned only if there is a trial in which, in the judge's opinion, the demanding party's position is improved over the arbitrator's award [Rule 9(b)]. Cases still pending after the 30-day rejection period in which no demand for trial de novo is filed will have the award of the arbitrator entered by the Court as its judgment, which is not appealable.

Original-File Copy-Plaintiff Copy-Defendant  
(Over)

HAYWOOD COUNTY

In the General Court of Justice

District Court Division

**ARBITRATION**  
**Notice of**  
**Arbitration Hearing**

## Name And Address Of Plaintiff(s)

MICHAEL G ROGERS ELECTRICAL  
 100 Nettie Drive  
 Waynesville, NC 28786

FILED  
 2021 MAY 21 AM 9:50

VERSUS

## Name And Address Of Defendant(s)

CURRIN, CODY C/O OUR PLACE INN  
 4077 Soco Road  
 Maggie Valley, NC

G.S. 7A-37.1, Rules 5, 6, Rules For Court-Ordered Arbitration in North Carolina

## Name And Address Of Arbitrator

DANNY DAVIS  
 P.O. Box 196  
 Waynesville, NC 28786

## Date Of Hearing

06/07/2021

## Time Of Hearing

9:30



AM



PM

## Place Of Hearing

HAYWOOD COUNTY CLERK OF COURT, WAYNESVILLE

ALL PARTIES TAKE NOTICE that the person named above has been appointed arbitrator in this case, and a hearing will be held at the date, time and place shown above.

The arbitration hearing must be held on that date or within sixty (60) days of the filing of the last responsive pleading. Any continuance beyond the sixtieth day may be granted only by a judge upon written motion and a showing of a strong and compelling reason to do so.

If settlement is reached prior to the hearing date, the parties must notify the person named below more than 24 hours before the hearing date so that the hearing may be cancelled. Failure to do so may result in responsibility for arbitrator's fee. See Rule 6(c) of the Rules For Court-Ordered Arbitration in North Carolina.

Failure to appear for the hearing and participate may result in an adverse award and/or sanctions. See Rule 6(l) of the Rules For Court-Ordered Arbitration in North Carolina.

If you have questions concerning the scheduling of this hearing, please contact the person named below.

G.S. 7A-37.1(c1) sets forth a fee which shall be assessed per arbitration, to be divided equally among the parties. The fee listed above must be paid prior to the arbitration hearing absent a finding of partial indigency or indigency. Payment should be made at the Office of the Clerk of Superior Court in the county listed above. See Rule 5(c) of the Rules For Court-Ordered Arbitration in North Carolina. If any party does not pay, the amount assessed will be docketed as a judgment in favor of the State when the award is filed.

## Date Of Notice

May 20, 2021

## Signature

Rachel Dotson

## Address

District Court Judges Office  
 285 N. Main Street, Suite, 2300  
 Waynesville, NC 28786

## Name (Type or Print)

Rachel Dotson

 Trial Court Administrator's Staff Judge's Staff

## Telephone No.

828-454-6511

## CERTIFICATE OF SERVICE

I certify that a copy of this Notice was served as follows:

On the Plaintiff, (name plaintiff) MICHAEL G. ROGERS ELECTRICAL, on (give date) 05/20/21 by

depositing a copy in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service addressed to  the plaintiff at the address listed above.  the plaintiff's attorney at the following address: \_\_\_\_\_

Other: \_\_\_\_\_

On Defendant 1, (name defendant) CODY CURRIN, on (give date) 05/20/21 by

depositing a copy in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service addressed to  the defendant at the address listed above.  the defendant's attorney at the following address: \_\_\_\_\_

Other: \_\_\_\_\_

On Defendant 2, (name defendant) \_\_\_\_\_, on (give date) \_\_\_\_\_ by

depositing a copy in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service addressed to  the defendant at the address listed above.  the defendant's attorney at the following address: \_\_\_\_\_

Other: \_\_\_\_\_

## Signature

Rachel Dotson



Trial Court Administrator's Staff



Judge's Staff

STATE OF NORTH CAROLINA

Haywood County

FILE NO. 21 CVD 211  
 Judgment Abstract No. \_\_\_\_\_  
 Judgment Docket Book And Page No. \_\_\_\_\_

TOTAL RECEIPT AMOUNT \$ 50.<sup>00</sup> CIVIL RECEIPTING FORM

Payer Name: Currin Cody  
 (Party to case) Last Name First Name Middle Name  
 Payee Name: Same  
 (Paid by whom e.g., name of attorney, interested party, etc.) Last Name First Name Middle Name

Flag for VCAP = YES Flag for VCAP = NO

**FILING FEES:**  
 (CVSC) Superior \$ 200.00  
 (CVDC) District \$ 150.00  
 (CVMC) Small Claim \$ 96.00  
 (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00  
 (CVBC) Business Court \$ 1,300.00  
 (Account Code If City Facility \_\_\_\_\_)  
 Transfer of jurisdiction from one court to another within the same county  
 From Mag to DC (21220-\$50.00, 22220-\$4.00) \$ 54.00  
 From DC to SC (21120) \$ 50.00  
 MISC FILING FEE (21435) \$

**FILING FEES:**  
 (CDDC) Divorce/DV Center Fund \$ 225.00  
 (\$150 filing fee + \$75 DV Center Fund)  
 (CDDC) with former name resumption \$ 235.00  
 (+\$10.00 to 21400)  
 (CVDC) Divorce from Bed & Board \$ 150.00  
 Registrations 'R' (21400) \$  
 Other \$  
 MISC FILING FEE (21435) \$

**SERVICE FEES:**  
 WRIT OF EXECUTION (21430) \$  
 WRIT OF POSSESSION (21430) \$  
 SHERIFF (22515) \$  
 Other Agency Service Acct. \$  
**ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS**  
 21455 \$ 15.00

**SERVICE FEES:**  
 WRIT OF POSSESSION (21400)  
 (when a writ of possession is on a non-monetary judgment or old book and page is in existence)  
 SHERIFF (22515) \$  
 Other Agency Service Acct. \$  
**ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS**  
 21455 \$ 15.00

**MISCELLANEOUS FEES:**  
 ARBITRATION APPEAL (24310) \$ 100.00  
 CIVIL MOTIONS (21450) \$ 20.00  
 CONFESS JUDGMENT (21400) \$ 25.00  
 COPY (21410) \$  
 (OSA) OUT OF STATE ATTY. \$ 225.00  
 SUPPLEMENTAL PRO. (21400) \$ 30.00  
 TRANSCRIPTS (21440) \$ 10.00  
 OTHER (ACCT # \_\_\_\_\_) \$  
 REFUND/OVERPAYMENT (29100) \$

**MISCELLANEOUS FEES:**  
 ARBITRATION FEES (24311) \$ 50.<sup>00</sup>  
 (Only if CVD)  
 CIVIL MOTIONS (21450) \$ 20.00  
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 COPY (21410) \$  
 SUPPLEMENTAL PRO. (21400) \$ 30.00  
 OTHER (ACCT # \_\_\_\_\_) \$  
 REFUND/OVERPAYMENT (29100) \$

**JUDGMENT PAYMENT: (Abstracted) 26115 (CV OR M)**  
 Full \$  
 Partial \$

**JUDGMENT PAYMENT: (Old Docketed)**  
 Full (26110) \$  
 Partial Book \_\_\_\_\_ Page \_\_\_\_\_

**DEPOSITS:**  
 RENT BONDS (26220) \$  
 CIVIL SURPLUS FUNDS (26600) \$

**DEPOSITS:**  
 CIVIL TRUST RECEIPT (26310) \$  
 CIVIL BONDS (26210) \$  
 CLAIM OF LIEN BOND (26600) \$  
 CONDEMNATIONS (26130) \$  
 DISPUTED FUNDS (26600) \$  
 INTERPLEADER (26600) \$

**APPROVAL:**  
 REVIEWED BY: [Signature]  
 DATE: 6/7/2021

STATE OF NORTH CAROLINA

Haywood County

FILE NO.

21CV0211

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$ 50<sup>00</sup>

CIVIL RECEIPTING FORM

Payer Name: Michael G. Raach Electrical  
 (Party to case) Last Name First Name Middle Name

Payee Name: Same  
 (Paid by whom e.g., name of attorney, interested party, etc.) Last Name First Name Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

**FILING FEES:**  
 (CVSC) Superior \$ 200.00  
 (CVDC) District \$ 150.00  
 (CVMC) Small Claim \$ 96.00  
 (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00  
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 Partial \$ \_\_\_\_\_

**JUDGMENT PAYMENT: (Old Docketed)**  
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 Partial Book \_\_\_\_\_ Page \_\_\_\_\_

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 CLAIM OF LIEN BOND (26600) \$ \_\_\_\_\_  
 CONDEMNATIONS (26130) \$ \_\_\_\_\_  
 DISPUTED FUNDS (26600) \$ \_\_\_\_\_  
 INTERPLEADER (26600) \$ \_\_\_\_\_

**APPROVAL:**  
 REVIEWED BY: CV  
 DATE: 6/17/14

STATE OF NORTH CAROLINA

9 No. 21-CVD-000211

HAYWOOD County

In The General Court Of Justice  
District Court Division

Name Of Plaintiff

MICHAEL G ROGERS ELECTRICAL

FILED

ARBITRATION  
ASSESSMENT OF  
ARBITRATION FEE

G.S. 7A-37.1(c1)

VERSUS

Name Of Defendant

CURRIN, CODY

7021 JUN - 7 AM 11:03

The arbitration fee required under G.S. 7A-37.1(c1) is divided equally among all the parties named below and the pro rata share entered after the name of each party is assessed in favor of the State and against that party.

Name And Address Of Party

Indigent

Partially Indigent

Name And Address Of Party

Indigent

Partially Indigent

MICHAEL G ROGERS ELECTRICAL  
100 Nettie Drive  
Waynesville, NC 28786

CODY CURRIN C/O OUR PLACE INN  
4077 Soco Road  
Maggie Valley, NC 28751

Pro Rata Share

\$ 50.00

pd

Miscellaneous Judgment Docket No.

Pro Rata Share

\$ 50.00

pd

Miscellaneous Judgment Docket No.

Name And Address Of Party

Indigent

Partially Indigent

Name And Address Of Party

Indigent

Partially Indigent

c/o

c/o

Pro Rata Share

\$

Miscellaneous Judgment Docket No.

Pro Rata Share

\$

Miscellaneous Judgment Docket No.

Name And Address Of Party

Indigent

Partially Indigent

Name And Address Of Party

Indigent

Partially Indigent

Pro Rata Share

\$

Miscellaneous Judgment Docket No.

Pro Rata Share

\$

Miscellaneous Judgment Docket No.

Date Of Notice

6/7/2021

Signature Of Arbitrator

*Danny Davis*

Name Of Arbitrator (Type Or Print)

DANNY DAVIS

**NOTE TO ARBITRATION COORDINATOR:** Complete this form in its entirety and provide to arbitrator with case file. Enter the names and addresses of all parties. List each plaintiff and defendant separately. Provide enough copies for all parties and a court copy. To compute each party's share, divide the arbitrator's fee by the total number of parties. In this calculation, include all parties who have been granted leave under G.S. 1-110 to sue as an indigent or partially indigent, or leave under G.S. 7A-228(b1) to appeal as an indigent in a small claims case, then check "indigent" in the box for each party.

**NOTE TO ARBITRATION COORDINATOR/CLERK/COURT:** Any party petitioning for leave to sue as an indigent shall complete forms AOC-G-106 and AOC-CV-226. A partially indigent party is a party that, in the opinion of the clerk or court, after reviewing all available information, is financially able to pay a portion, but not all, of their pro rata share of the arbitration fee. If a party is found to be partially indigent, that shall be indicated by checking the appropriate box next to that party's name. In the event a party is found to be partially indigent, the clerk or court shall require the partially indigent person to pay the appropriate percentage of that party's pro rata share of the arbitrator's fee prior to the arbitration. The party's pro rata share shall be indicated in the appropriate block and the appropriate percentage reduction will be calculated by the cashier.

**NOTE TO ARBITRATOR:** Upon completion of arbitration hearing, date, sign, and print your name on this form. Provide a copy to each party. Place the original in the court file.

**NOTE TO PARTIES:** Present this form to the cashier in the Clerk's office, along with your payment. Failure to pay shall result in a judgment against the party.

**NOTE TO CASHIER:** Collect the amount in the column headed "Pro Rata Share" from each party. Enter all payments in Account No. 24311. DO NOT collect an arbitration fee from any party for whom "Indigent" has been checked. Collect only the appropriate percentage of the indicated amount if the party has been designated as partially indigent.

**NOTES TO CIVIL DIVISION:**

1. When the arbitrator files the Award in this case, docket a miscellaneous judgment for the amount in the box labeled "Pro Rata Share," IN FAVOR OF THE STATE and against each party that has not paid the amount assessed above. A separate judgment should be docketed against each such party. If there is no receipt in the file, check FMS before docketing.
2. Docket the judgment for the arbitration fee in VCAP when you are entering information about the arbitration award in VCAP. This will be done before final case disposition in the underlying CvD or CvS case, and before any judgment may be docketed on the award.
3. Use the Index Miscellaneous Judgments screen (VCMA) in VCAP to docket the miscellaneous judgment. For each judgment, the "plaintiff" is the "State of North Carolina," the "defendant" is the party against whom the fee was assessed. The issue code is "ARBF." The disposition code is entered automatically for miscellaneous judgments.
4. On this form, enter the "M" number for each judgment in the column above headed "Miscellaneous Judgment Docket No." Each party should have a separate "M" number.
5. Do not docket a judgment for an arbitration fee against any party for whom "indigent" is checked above.

STATE OF NORTH CAROLINA

Haywood

County

FILED

File No.

21 CVD 211

In The General Court Of Justice

District  Superior Court Division

Name And Address Of Plaintiff(s)

Michael G Rogers Electrical  
100 Nettie Drive  
Waynesville, NC 28786

NOV 7 AM 11:09  
WAYWOOD COUNTY, N.C.

ARBITRATION  
REQUEST  
FOR  
TRIAL DE NOVO

Rule 5, Court-Ordered Arbitration

VERSUS

Name And Address Of Defendant(s)

Currin, Cody  
C/O Ous Place Inn  
Maggie Valley, NC

TO THE COURT:

The party named below requests trial de novo. Please place this case on the trial calendar.

NOTE: A request for trial de novo accompanied by a \$100 filing fee must be filed with the Clerk within thirty (30) days service of the Award.

Name Of Party Requesting Trial De Novo

Cody Currin

Signature

*[Handwritten Signature]*

Date Of Request

6/7/2021

Name (Type Or Print)

Cody Currin

Party  Attorney

CERTIFICATE OF SERVICE

I certify that a copy of this Notice was served as follows:

On the Plaintiff, (name plaintiff) Michael G Rogers, on (give date) \_\_\_\_\_ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to  the plaintiff at the address listed on page one.  the plaintiff's attorney at the following address: \_\_\_\_\_

sending it to the plaintiff's attorney at the attorney's office by telefacsimile to the telephone number on confirmed telefacsimile receipt, which is attached.

Other:

On the Defendant, (name plaintiff) \_\_\_\_\_, on (give date) \_\_\_\_\_ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to  the defendant at the address listed on page one.  the defendant's attorney at the following address: \_\_\_\_\_

sending it to the plaintiff's attorney at the attorney's office by telefacsimile to the telephone number on confirmed telefacsimile receipt, which is attached.

Other:

On the Plaintiff, (name plaintiff) \_\_\_\_\_, on (give date) \_\_\_\_\_ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to  the plaintiff at the address listed on page one.  the plaintiff's attorney at the following address: \_\_\_\_\_

sending it to the plaintiff's attorney at the attorney's office by telefacsimile to the telephone number on confirmed telefacsimile receipt, which is attached.

Other:

Signature Of Party Or Attorney

*[Handwritten Signature]*

STATE OF NORTH CAROLINA

File No.

21-CVD-000211

HAYWOOD COUNTY

In the General Court of Justice  
District Division

Name Of Plaintiff(s)  
MICHAEL G ROGERS ELECTRICAL  
100 Nettie Drive  
Waynesville, NC 28786

FILED

ARBITRATION

VERSUS

2021 JUN 10

A 11: 36 APPLICATION AND ORDER  
FOR PAYMENT TO ARBITRATOR

Name Of Defendant(s)  
CURRIN, CODY C/O OUR PLACE INN  
4077 Soco Road  
Maggie Valley, NC

HAYWOOD CO., C.S.C.  
BY \_\_\_\_\_

G.S. 7A-37.1; Rule 4, Rules For Court-Ordered Arbitration in North Carolina

APPLICATION

Pursuant to Rule 4(c) of the Rules For Court-Ordered Arbitration in North Carolina, I, the undersigned arbitrator, apply for payment of a fee and for reimbursement for travel expenses as provided for in the Rules.

An arbitration hearing

- was held and an award was made in the above-entitled case.
- was initiated and the arbitrator named above was chosen for the above-entitled case; however, the arbitration proceeding did not result in a completed hearing or an award.

Date  
6/7/2021

Signature Of Arbitrator  
*Danny Davis*

Taxpayer ID No. (Social Security No.)  
# 85-1402805

Name And Address Of Arbitrator  
DANNY DAVIS  
P.O. Box 196  
Waynesville, NC 28786

ORDER

The Court ORDERS that the arbitrator named above be paid as follows:

|   |    |        |
|---|----|--------|
| Fee (\$100 if award made; reasonable fee not to exceed \$100 if not.) | \$ | 100.00 |
| Travel (In-State @ State Rate x ___ Miles)                            | \$ | —      |
| Total Amount  | \$ | 100.00 |

NOTE: This payment will be reported annually to IRS for income tax purposes, if applicable.

Date  
6-8-21

Name Of Judge (Type or Print)  
ROY WIJEWICKRAMA

Signature of Judge  
*[Signature]*

FOR USE BY AOC FINANCIAL SERVICES DIVISION

| COMPANY | ACCOUNT | CENTER | AMOUNT |
|---------|---------|--------|--------|
|         |         |        |        |
|         |         |        |        |

Date  
Approval For Payment Signature

INSTRUCTIONS: Arbitrator prepares in duplicate for judge's signature. Clerk of Superior Court files the original and mails certified copy to the Administrative Office of the Courts, Attn: Financial Services Division, P.O. Box 2448, Raleigh NC 27602, OR sends by State Courier Service.

✓ Copy mailed to AOC 6/11/21 *[Signature]*

STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

**FILED** IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO: 21 CVD 211

2021 JUL 13 P 3:11

HAYWOOD COUNTY, C.S.C.

BY \_\_\_\_\_

MICHAEL G ROGERS ELECTRIC  
PLAINTIFF

VS.

CODY CURRIN  
DEFENDANT

TO: MICHAEL G ROGERS ELECTRIC  
100 NETTIE DR.  
WAYNESVILLE NC 28786

PLEASE TAKE NOTICE that the above entitled case is ready to be heard during the AUGUST 2, 2021 DOMESTIC RELATIONS/NON-JURY/EQUID Session, beginning at 9:30 am in the Haywood County Justice Center, Waynesville, North Carolina.

Approximately one week before the start of the session, the presiding judge will post his/her trial order of cases that will be heard. Refer to [www.nccourts.org/courtcalendars/Haywoodcounty](http://www.nccourts.org/courtcalendars/Haywoodcounty). There is a time and day listed for your case or it will be on the Continued Cases page.

If you are representing yourself, it is expected that you be in attendance.

If you have questions, please call the Clerk's Office at: 454-6503.

This is the 13TH day of JULY, 2021.

Claudette J. Owenby  
Domestic Relations Clerk



STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

FILED

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO: 21 CVD 211

MICHAEL G ROGERS ELECTRIC  
PLAINTIFF

2021 JUL 13 P 3:11

HAYWOOD COUNTY, C.S.C.

VS.

BY \_\_\_\_\_

CODY CURRIN  
DEFENDANT

TO: CODY CURRIN  
C/O OUR PLACE INN  
4077 SOCO RD  
MAGGIE VALLEY NC 28751

PLEASE TAKE NOTICE that the above entitled case is ready to be heard during the AUGUST 2, 2021 DOMESTIC RELATIONS/NON-JURY/EQUID Session, beginning at 9:30 am in the Haywood County Justice Center, Waynesville, North Carolina.

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If you are representing yourself, it is expected that you be in attendance.

If you have questions, please call the Clerk's Office at: 454-6503.

This is the 13TH day of JULY, 2021.

Claudette J. Owenby  
Domestic Relations Clerk

STATE OF NORTH CAROLINA

*Waywood*

County

No. *21CVD011*

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$

*100.<sup>00</sup>*

CIVIL RECEIPTING FORM

Payer Name:  
(Party to case)

*Curry*

Last Name

*Cody*

First Name

Middle Name

Payee Name:  
(Paid by whom,  
e.g., name of attorney,  
interested party, etc.)

*Sarse*

Last Name

First Name

Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES:

- (CVSC) Superior \$ 200.00
  - (CVDC) District \$ 150.00
  - (CVMC) Small Claim \$ 96.00
  - (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00
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- Full \$
- Partial \$

JUDGMENT PAYMENT: (Old Docketed)

- Full (26110) \$
- Partial Book \_\_\_\_\_ Page \_\_\_\_\_

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- CLAIM OF LIEN BOND (26600) \$
- CONDEMNATIONS (26130) \$
- DISPUTED FUNDS (26600) \$
- INTERPLEADER (26600) \$

APPROVAL:

REVIEWED BY: *[Signature]*  
DATE: *6/17/2021*

**STATE OF NORTH CAROLINA**

File No.

21 CVD 211

HAYWOOD County

In The General Court Of Justice  
 District  Superior Court Division

Civil: Plaintiff: MICHAEL G ROGERS ELECTRIC  
 Criminal

STATE  
VERSUS

Name Of Defendant

CODY CURRIN

**EXHIBITS/EVIDENCE LOG**

PLAINTIFF (P)  DEFENDANT (D)  
 STATE (S)  BOTH

Rule 14, General Rules of Practice for the Superior and District Courts

Name And Address

RUSTY MCLEAN

Name And Address

Plaintiff's Attorney  Prosecutor  Party

Defendant's Attorney  Party

| Exhibit No. | Description And Notes, If Applicable | Date Offered (1) | Date Admitted | Biological (2) (√) | Collecting Agency (3) | Item Received Or Retained By (4) |
|-------------|--------------------------------------|------------------|---------------|--------------------|-----------------------|----------------------------------|
| PL 1        | PHOTO OF MOTEL CONTRACTED FOR        | 8/2/21           | 8/2/21        |                    |                       |                                  |
| PL 2        | PERMITS TO DO THE WORK               | 8/2/21           | 8/2/21        |                    |                       |                                  |
| PL 3        | BILLS SUBMITTED TO DEF               | 8/2/21           | 8/2/21        |                    |                       |                                  |
| PL 4        | TEXT MESSAGES TO DE BY PL            | 8/2/21           | 8/2/21        |                    |                       |                                  |
| PL 5        | TEXT MESSAGE TO DE BY PL             | 8/2/21           | 8/2/21        |                    |                       |                                  |
| PL 6        | ITEMIZED INVOICE                     | 08/2/21          | 8/2/21        |                    |                       |                                  |
| PL 7        | LABOR COST INVOICE                   | 08/2/21          | 8/2/21        |                    |                       |                                  |

**NOTE:** See reverse for additional description.

Date Stored in Vault After Trial Ends: 8/2/2021  
 Signature Of Clerk Storing Exhibits: *Claudia...*  
 Appeal Taken:  Yes  No (Date)

General Rules of Practice, Rule 14: Exhibits received by the Clerk shall be removed by the party offering them (except as otherwise directed by the Court) within thirty (30) days after final judgment if no appeal is taken; if the case is appealed, then, within sixty (60) days after certification of a final decision from the appellate division. If the party offering an exhibit fails to remove such article, the Clerk shall write the attorney of record, calling attention to provisions of this Rule. If the articles are not removed within thirty (30) days after mailing of such notice, they may be disposed of by the Clerk. (NOTE: To give notice the Clerk may use form AOC-G-151. The Clerk may wish to obtain an order of the Court to remove or dispose of exhibits/evidence in criminal cases.)

**RECEIPT FOR REMOVAL**

**DISPOSITION**

|  |                         |  |                         |   |                                    |
|--|-------------------------|--|-------------------------|---|------------------------------------|
| Date Of Final Judgment Or Certification        |                         | Date Notified In Writing To Remove Exhibits/Evidence |                         | Date Disposed                                     | Date Of Court Order, If Applicable |
| Date Released                                  | Exhibit No.(s) Released | Date Released  | Exhibit No.(s) Released | Exhibit No.(s)                                    |                                    |
| Signature Of Party Removing Exhibits/Evidence  |                         | Signature Of Party Removing Exhibits/Evidence        |                         | Signature Of Clerk Disposing Of Exhibits/Evidence |                                    |
| Signature Of Clerk Releasing Exhibits/Evidence |                         | Signature Of Clerk Releasing Exhibits/Evidence       |                         | Signature Of Witness                              |                                    |

Additional Documentation Of Disposition

- (1) If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.
- (2) If exhibit is found "reasonably likely to contain biological evidence," as provided in G.S. 15A-269(a3), indicate it here.
- (3) Indicate here the agency identified by the court as the "collecting agency" for biological evidence.
- (4) Clerk's initials go in this column, or name of counsel or party.

(NOTE: This form may be used in both civil and criminal cases.)



STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

FILED IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO.: 21CVD211

2021 AUG 16 P 3:38

MICHAEL G ROGERS ELECTRICAL, )  
Plaintiff, )

HAYWOOD CO., C.S.C.  
BY ) JRS

Notice of Entry of Appearance

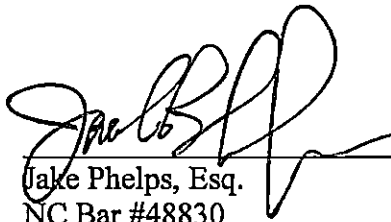
vs. )

CODY CURRIN, )  
Defendant. )

---

TAKE NOTICE, the undersigned counsel files this, his Entry of Appearance, as Defendant's counsel in the above captioned matter.

This the 12<sup>th</sup> day of August, 2021.




---

Jake Phelps, Esq.  
NC Bar #48830  
Attorney for Defendant  
Law Office of Nathan Earwood  
461 East Main Street  
Sylva, North Carolina 28779  
(828) 354-4300 Phone  
(828) 354-4299 Fax

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served counsel of record (Russell Mclean) in the foregoing matter with a copy of this Entry of Appearance by electronic mail.

This the 12<sup>th</sup> day of August, 2021.



---

Jake Phelps  
Attorney for Defendant  
Law Office of Nathan Earwood  
461 East Main Street  
Sylva, North Carolina 28779  
(828) 354-4300 Phone  
(828) 354-4299 Fax

STATE OF NORTH CAROLINA  
HAYWOOD COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO.: 21 CVD 211

2021 AUG 23 P 4: 59

MICHAEL G. ROGERS ELECTRIC CO., C.S.C.

Plaintiff

BY \_\_\_\_\_ ) *RT*

v.

CODY CURRIN, d/b/a Our Place Inn

Defendant,

JUDGEMENT

THIS MATTER came on to be heard at the August 2<sup>nd</sup>, 2021, Civil District Court session in Haywood County before the undersigned and the Plaintiff was present and represented by Russell L. McLean III, the Defendant, Cody Currin was present and represented himself. After the presentation of the evidence and argument by the parties the Court enters the following finding of facts:

1. That both parties presented evidence.
2. That on September 15<sup>th</sup> and 16<sup>th</sup> of 2020 the Plaintiff was performing electrical services on rooms 13-19 at the Defendants motel, known as Our Place Inn, located in Maggie Valley, North Carolina.
3. That Court allowed into evidence the Plaintiff's Exhibit 1-6 into the records showing the text messages between the parties and the Plaintiff seeking payment for the goods and services that the Plaintiff had performed during on September 15<sup>th</sup> and 16<sup>th</sup> of 2020.
4. That thereafter the Plaintiff submitted a statement for a balance due and owing of \$2,000 dollars on previous electrical job and service that the Plaintiff had performed for the benefit of the Defendant.
5. That the September 15<sup>th</sup> and 16<sup>th</sup>, 2020 invoice included the purchase of an electrical permit, issued by Haywood County Inspections Department was paid for by the Plaintiff.
6. That the Plaintiff submitted an invoice for \$2,372.75 including the Haywood County electrical permit, goods and services including the dates of September 15<sup>th</sup> and 16 of 2020.
7. Thereafter a demand was made upon the Defendant to pay the sum of \$4,372.75 to the Plaintiff.

8. That the Defendant has failed to pay the sum that was due and owing.

Based on the forgoing findings of facts the Court enters the following conclusion of law:

1. That the parties and the subject matter are properly before the Court.
2. That the Defendant owes to the Plaintiff the sum of \$4,372.75 from and after the completion of the services rendered on September 15<sup>th</sup> and 16<sup>th</sup>, 2020.

Based on the forgoing findings of facts and conclusion of law the Court enters the following Order:

1. It is hereby ORDERED ADJUDGED and DECREED that the plaintiff shall have and receive the sum of \$4,372.75 together with lawfully interest at the rate of 8% since the breach of the contract as of September 16, 2020, until paid and satisfied in full.

Ordered this the 2<sup>nd</sup> day of August 2021.

Signed this the 20<sup>th</sup> day of August 2021.



---

Honorable Chief District Judge Roy T. Wijewickrama



STATE OF NORTH CAROLINA

Haywood County

No. 21 cvd 211

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$ 30.00

CIVIL RECEIPTING FORM

Payer Name:  
(Party to case)

Michael G. Rogers Electric

Last Name

First Name

Middle Name

Payee Name:

SAME

Last Name

First Name

Middle Name

(Paid by whom,  
e.g., name of attorney,  
interested party, etc.)

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES:

- (CVSC) Superior \$ 200.00
  - (CVDC) District \$ 150.00
  - (CVMC) Small Claim \$ 96.00
  - (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00
  - (CVBC) Business Court \$ 1,300.00
- (Account Code If City Facility \_\_\_\_\_)

Transfer of jurisdiction from one court to another within the same county

- From Mag to DC (21220-\$50.00, 22220-\$4.00) \$ 54.00
- From DC to SC (21120) \$ 50.00
- MISC FILING FEE (21435) \$ \_\_\_\_\_

SERVICE FEES:

- WRIT OF EXECUTION (21430) \$ \_\_\_\_\_
- WRIT OF POSSESSION (21430) \$ \_\_\_\_\_
- SHERIFF (22515) NORD \$ 30.00
- Other Agency Service Acct. \_\_\_\_\_ \$ \_\_\_\_\_

ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS

- 21455 \$ 15.00

MISCELLANEOUS FEES:

- ARBITRATION APPEAL (24310) \$ 100.00
- CIVIL MOTIONS (21450) \$ 20.00
- CONFESS JUDGMENT (21400) \$ 25.00
- COPY (21410) \$ \_\_\_\_\_
- (OSA) OUT OF STATE ATTY. \$ 225.00
- SUPPLEMENTAL PRO. (21400) \$ 30.00
- TRANSCRIPTS (21440) \$ 10.00
- OTHER (ACCT # \_\_\_\_\_) \$ \_\_\_\_\_
- REFUND/OVERPAYMENT (29100) \$ \_\_\_\_\_

JUDGMENT PAYMENT: (Abstracted) (CV OR M)

- Full (26115) \$ \_\_\_\_\_
- Partial (26115) \$ \_\_\_\_\_
- From Sheriff - No Execution Sale (26120) \$ \_\_\_\_\_

DEPOSITS:

- RENT BONDS (26220) \$ \_\_\_\_\_

APPROVAL:

REVIEWED BY: MD  
DATE: 9/10/21

FILING FEES:

- (CDDC) Divorce/DV Center Fund \$ 225.00  
(\$150 filing fee + \$75 DV Center Fund)
- (CDDC) with former name resumption \$ 235.00  
(+\$10.00 to 21400)
- (CVDC) Divorce from Bed & Board \$ 150.00
- Registrations 'R' (21400) \$ \_\_\_\_\_
- Other \$ \_\_\_\_\_
- MISC FILING FEE (21435) \$ \_\_\_\_\_

SERVICE FEES:

- WRIT OF POSSESSION (21400)  
(when a writ of possession is on a non-monetary judgment or old book and page is in existence)
- SHERIFF (22515) \$ \_\_\_\_\_
- Other Agency Service Acct. \_\_\_\_\_ \$ \_\_\_\_\_

ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS

- 21455 \$ 15.00

MISCELLANEOUS FEES:

- ARBITRATION FEES (24311) \$ \_\_\_\_\_  
(Only if CVD)
- CIVIL MOTIONS (21450) \$ 20.00
- CONFESS JUDGMENT (21400) \$ 25.00
- COPY (21410) \$ \_\_\_\_\_
- SUPPLEMENTAL PRO. (21400) \$ 30.00
- OTHER (ACCT # \_\_\_\_\_) \$ \_\_\_\_\_
- REFUND/OVERPAYMENT (29100) \$ \_\_\_\_\_

JUDGMENT PAYMENT: (Old Docketed)

- Full (26110) \$ \_\_\_\_\_
- Partial Book \_\_\_\_\_ Page \_\_\_\_\_

DEPOSITS:

- RENT BONDS (26220) \$ \_\_\_\_\_
- CIVIL SURPLUS FUNDS (26600) \$ \_\_\_\_\_
- CIVIL TRUST RECEIPT (26310) \$ \_\_\_\_\_
- CIVIL BONDS (26210) \$ \_\_\_\_\_
- CLAIM OF LIEN BOND (26600) \$ \_\_\_\_\_
- CONDEMNATIONS (26130) \$ \_\_\_\_\_
- DISPUTED FUNDS (26600) \$ \_\_\_\_\_
- INTERPLEADER (26600) \$ \_\_\_\_\_

STATE OF NORTH CAROLINA

HAYWOOD County

File

21CVD 211

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$ 55.00

CIVIL RECEIPTING FORM

Payer Name: Michael G. Rogers Electrical
(Party to case) Last Name First Name Middle Name

Payee Name: SCMR
(Paid by whom, e.g., name of attorney, interested party, etc.) Last Name First Name Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES:

- (CVSC) Superior \$ 200.00
(CVDC) District \$ 150.00
(CVMC) Small Claim \$ 96.00
(CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00
(CVBC) Business Court \$ 1,300.00
Transfer of jurisdiction from one court to another within the same county
From Mag to DC (21220-\$50.00, 22220-\$4.00) \$ 54.00
From DC to SC (21120) \$ 50.00
MISC FILING FEE (21435) \$

FILING FEES:

- (CDDC) Divorce/DV Center Fund \$ 225.00
(\$150 filing fee + \$75 DV Center Fund) \$ 235.00
(CDDC) with former name resumption (+\$10.00 to 21400) \$ 150.00
(CVDC) Divorce from Bed & Board \$
Registrations 'R' (21400) \$
Other \$
MISC FILING FEE (21435) \$

SERVICE FEES:

- WRIT OF EXECUTION (21430) \$ 25.00
WRIT OF POSSESSION (21430) \$
SHERIFF (22515) \$ 30.00
Other Agency Service Acct. \$
ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
21455 \$ 15.00

SERVICE FEES:

- WRIT OF POSSESSION (21400)
(when a writ of possession is on a non-monetary judgment or old habeas and page is in existence)
SHERIFF (22515) \$
Other Agency Service Acct. \$
ALIAS & PLURIES SUMMONS and/or ENDORSEMENTS
21455 \$ 15.00

MISCELLANEOUS FEES:

- ARBITRATION APPEAL (24310) \$ 100.00
CIVIL MOTIONS (21450) \$ 20.00
CONFESS JUDGMENT (21400) \$ 25.00
COPY (21410) \$
(OSA) OUT OF STATE ATTY. \$ 225.00
SUPPLEMENTAL PRO. (21400) \$ 30.00
TRANSCRIPTS (21440) \$ 10.00
OTHER (ACCT #) \$
REFUND/OVERPAYMENT (29100) \$

MISCELLANEOUS FEES:

- ARBITRATION FEES (24311) \$
(Only if CVD)
CIVIL MOTIONS (21450) \$ 20.00
CONFESS JUDGMENT (21400) \$ 25.00
COPY (21410) \$
SUPPLEMENTAL PRO. (21400) \$ 30.00
OTHER (ACCT #) \$
REFUND/OVERPAYMENT (29100) \$

JUDGMENT PAYMENT: (Abstracted) 26115 (CV OR M)

- Full \$
Partial \$

JUDGMENT PAYMENT: (Old Docketed)

- Full (26110) \$
Partial Book Page

DEPOSITS:

- RENT BONDS (26220) \$

DEPOSITS:

- RENT BONDS (26220) \$
CIVIL SURPLUS FUNDS (26600) \$
CIVIL TRUST RECEIPT (26310) \$
CIVIL BONDS (26210) \$
CLAIM OF LIEN BOND (26600) \$
CONDEMNATIONS (26130) \$
DISPUTED FUNDS (26600) \$
INTERPLEADER (26600) \$

APPROVAL:

REVIEWED BY: [Signature]
DATE: 10/08/11

026213171

STATE OF NORTH CAROLINA

File No.

Abstract No.

21CVD000211

J001

Judgment Docket Book And Page No. In Original County

HAYWOOD County

2021 OCT 14 AM 11:20

In The General Court Of Justice

Name And Address Of Plaintiff

MICHAEL G ROGERS ELECTRICAL HAYWOOD COUNTY, N.C.
100 NETTIE DRIVE
WAYNESVILLE NC 28786

WRIT OF EXECUTION

G.S. 1-310, -313(1); Ch. 1C, Art. 16

VERSUS

Name And Address Of Defendant 1

CODY CURRIN
C/O OUR PLACE INN
4077 SOCO RD
MAGGIE VALLEY NC

Name And Address Of Defendant 2

To The Sheriff Of HAYWOOD County:

Judgment in favor of the plaintiff was rendered in this case against the defendant. By terms of that judgment the following sums are now due:

Table with 2 columns: Description of due amounts and Amount. Rows include Principal Due As Of Today (\$4,372.75), Plus Dollar Amount Of Interest Due As Of Today (\$376.66), Plus Court Cost Due As Of Today, Plus Other, and Total Due As Of Today.

RECEIVED
OCT 15 2021

Plus, interest on the principal at the rate set out below shall be due from the date shown below, and a sheriff's commission shall be collected on sales of property or funds collected of 5% on the first \$500 and 2-1/2% on all sums over \$500.

Table with 6 columns: Date From Which Interest Due (09/16/2020), Date Of Judgment (08/23/2021), County To Which Issued (HAYWOOD), File No., Rate Of Interest (8.0000%), Contract Rate (unchecked), Legal Rate (checked), Daily Interest Rate (\$0.96), Judgment Docket Book And Page No., Transcript No., Date And Time Of Docketing.

You are commanded to satisfy the judgment:

- out of the personal property of the defendant, and if sufficient personal property cannot be found, then out of the real property belonging to the defendant on the day the judgment was docketed in your county as shown above or any time after that date.
except as to property of the defendant set off as exempt (a list of which is attached), out of the personal property of the defendant within your county and if sufficient personal property cannot be found, then out of the real property belonging to the defendant on the day the judgment was docketed in your county as shown above or any time after that date.

Additional Order For Satisfying Judgment

Table with 2 columns: County In Which Order To Be Served (HAYWOOD), Date Issued (10/14/2021), Name And Address Of Creditor's Attorney (RUSSELL L MCLEAN III, PO BOX 4, WAYNESVILLE NC 28786 1018), Signature (REBECCA S TAYLOR), Deputy CSC (checked), Assistant CSC (unchecked), Clerk Of Superior Court (unchecked).

**RETURN OF EXECUTION**

This Writ Of Execution was served as follows:

by collecting the amount(s) specified below, which is in addition to and apart from any sum collected pursuant to execution sale.

| Date Of Collection | Amount Collected On This Date |
|--------------------|-------------------------------|
| 11/02/21           | \$ 5049.34                    |
|                    |                               |
|                    |                               |
|                    |                               |
|                    |                               |

by levying on and selling the property of the defendant described below and returning to the court the balance shown below.

| Date Of Levy | Description Of Property Levied On <del>And Sold</del> |
|--------------|---|
| 11/02/21     | 2021 covered wagon trailer                            |
|              |   |
|              |   |
|              |   |
|              |   |
|              |   |
|              |   |
|              |   |
|              |   |

RECEIVED  
 11/16/21 16 AM 10:14  
 HAYWOOD COUNTY, CALIF.

|   |  |  |                                |
|---|--|--|--------------------------------|
| Total Sum Collected By Execution Sale<br>\$ 5049.34 | Amount Retained As Commission<br>\$ 138.73 | Amount Retained For Expenses<br>\$ -0- | Balance Returned<br>\$ 4910.61 |
|---|--|--|--------------------------------|

- I did not serve this Writ Of Execution because:
- I did not locate property on which to levy.
  - Other: (specify)

|   |                            |  |
|---|----------------------------|--|
| Service Fee Paid<br>\$ 30.00 pd <i>RA</i> | Date Received<br>10/15/21  | Name Of Sheriff (type or print)<br>Christopher               |
| Paid By                                   | Date Executed<br>11/02/21  | County<br>Haywood  |
|   | Date Of Return<br>11/12/21 | Signature Of Deputy Sheriff Making Return<br>Lt. DW Corcoran |

Name Of Judgment Creditor (Plaintiff) MICHAEL G ROGERS ELECTRICAL 2821 OCT 15 11:09:56  
**VERSUS** HAYWOOD COUNTY, NC  
 Name Of Judgment Debtor (Defendant) CODY CURRIN  
**ORDER DESIGNATING EXEMPT PROPERTY**  
 G.S. 1C-1603

Upon notice and motion duly made, and for good cause shown, it is ORDERED that:  
 all property listed in numbers 5 through 16 in the motion and schedule attached to this Order (AOC-CV-415) is designated as exempt property.  
 the following property belonging to the debtor (defendant), of the value as shown, is designated as exempt property:

| Item   | Description | Debtor's Interest | Exemption Value |
|--|-------------|-------------------|-----------------|
| Residence                                      |             |                   |                 |
| Burial Plot                                    |             |                   |                 |
| Household goods, furnishings, appliances, etc. |             |                   |                 |
| Interest in motor vehicle                      |             |                   |                 |
| List any other exempt property                 |             |                   |                 |

It is furthered ORDERED as follows:

The motion to claim exempt property is denied. (state findings)  
*Motion to claim exempt property was filed outside time frame for claiming exempt property*

Date 10/15/21 Signature *[Signature]*  
 Assistant CSC  
 Clerk Of Superior Court

STATE OF NORTH CAROLINA

HAYWOOD County

File #

21CVD 211

Judgment Abstract No.

Judgment Docket Book And Page No.

TOTAL RECEIPT AMOUNT \$ 4,910.61

CIVIL RECEIPTING FORM

Payer Name: Michael G Rogers Electrical (Party to case) Last Name First Name Middle Name

Payee Name: Haywood Co Finance (Paid by whom, e.g., name of attorney, interested party, etc.) Last Name First Name Middle Name

Flag for VCAP = YES

Flag for VCAP = NO

FILING FEES: (CVSC) Superior \$ 200.00 (CVDC) District \$ 150.00 (CVMC) Small Claim \$ 96.00 (CVAC) Appeal - Magistrate (Mag) to DC \$ 146.00 (CVBC) Business Court \$ 1,300.00

FILING FEES: (CDDC) Divorce/DV Center Fund \$ 225.00 (CDDC) with former name resumption \$ 235.00 (CVDC) Divorce from Bed & Board \$ 150.00

SERVICE FEES: WRIT OF EXECUTION (21430) \$ WRIT OF POSSESSION (21430) \$ SHERIFF (22515) \$ Other Agency Service Acct. \$

SERVICE FEES: WRIT OF POSSESSION (21400) \$ SHERIFF (22515) \$ Other Agency Service Acct. \$

MISCELLANEOUS FEES: ARBITRATION APPEAL (24310) \$ 100.00 CIVIL MOTIONS (21450) \$ 20.00 CONFESS JUDGMENT (21400) \$ 25.00

MISCELLANEOUS FEES: ARBITRATION FEES (24311) \$ CIVIL MOTIONS (21450) \$ 20.00 CONFESS JUDGMENT (21400) \$ 25.00

JUDGMENT PAYMENT: (Abstracted) 26115 (CV OR M) Full \$ Partial \$ 4,910.61

JUDGMENT PAYMENT: (Old Docketed) Full (26110) \$ Partial Book Page

DEPOSITS: RENT BONDS (26220) \$ CIVIL SURPLUS FUNDS (26600) \$

DEPOSITS: RENT BONDS (26220) \$ CIVIL TRUST RECEIPT (26310) \$ CIVIL BONDS (26210) \$ CLAIM OF LIEN BOND (26600) \$ CONDEMNATIONS (26130) \$ DISPUTED FUNDS (26600) \$ INTERPLEADER (26600) \$

APPROVAL: REVIEWED BY: AMP DATE: 11-12-2021