

STATE OF NORTH CAROLINA		File No. 23 CvD 845
HAYWOOD County		In The General Court Of Justice District Court Division
Name And Address Of Plaintiff 1 TERRY RAMEY		<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">FILED</div> <div style="font-size: 1.2em; margin-bottom: 5px;">2023 SEP - 7 A 11: 57</div> <div style="font-size: 1.2em; margin-bottom: 5px;">HAYWOOD CO., N.C.</div> <div style="font-size: 1.5em; font-weight: bold; margin-bottom: 10px;">DOMESTIC CIVIL ACTION COVER SHEET</div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> INITIAL FILING <input checked="" type="checkbox"/> SUBSEQUENT FILING </div> <div style="font-size: 0.8em;">Rule 5(b), Rules of Practice For Superior and District Courts</div>
Name And Address Of Plaintiff 2 BY _____		
VERSUS		Jury Demanded In Pleading? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Name Of Defendant 1 CORY VAILLANCOURT		Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address) Fred H. Moody, Jr. PO Box 670 Bryson City, NC 28713
Summons Submitted <input type="checkbox"/> Yes <input type="checkbox"/> No		Telephone No. 828-488-2147 Cellular Telephone No.
Name Of Defendant 2		NC Attorney Bar No. 3066 Attorney E-Mail Address
Summons Submitted <input type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Initial Appearance in Case <input type="checkbox"/> Change of Address
Counsel for <input type="checkbox"/> All Plaintiffs <input checked="" type="checkbox"/> All Defendants <input type="checkbox"/> Only (List party(ies) represented)		Name Of Firm
		FAX No. 828-488-8775
TYPE OF PLEADING		CLAIMS FOR RELIEF
<i>(check all that apply)</i> <input type="checkbox"/> Amended Answer/Reply (AMND-Response) <input type="checkbox"/> Amended Complaint (AMND) <input checked="" type="checkbox"/> Answer/Reply (ANSW-Response) <input type="checkbox"/> Complaint (COMP) <input type="checkbox"/> Confession Of Judgment (CNFJ) <input type="checkbox"/> Contempt (CNTP) <input type="checkbox"/> Continue (CNTN) <input type="checkbox"/> Compel (CMPL) <input type="checkbox"/> Counterclaim vs. (CTCL) Assess Counterclaim Costs <input type="checkbox"/> Extend Time For An Answer (MEOT-Response) <input type="checkbox"/> Modification Of Alimony (MALI) <input type="checkbox"/> Modification Of Custody (MCUS) <input type="checkbox"/> Modification Of Support in non-IV-D cases (MSUP) <input type="checkbox"/> Modification Of Visitation (MVIS) <input type="checkbox"/> Rule 12 Motion In Lieu Of Answer (MDLA) <input type="checkbox"/> Sanctions (SANC) <input type="checkbox"/> Show Cause (SHOW) <input type="checkbox"/> Transfer (TRFR) <input type="checkbox"/> Vacate/Modify Judgment or Order (VCMD) <input type="checkbox"/> Other (OTHR):		<i>(check all that apply)</i> <input type="checkbox"/> Alimony (ALIM) <input type="checkbox"/> Annulment (ANUL) <input type="checkbox"/> Child Support (CSUP) <input type="checkbox"/> Custody (CUST) <input type="checkbox"/> Divorce (DIVR) <input type="checkbox"/> Divorce From Bed And Board (DIVB) <input type="checkbox"/> Domestic Violence (DOME) <input type="checkbox"/> Equitable Distribution (EQUD) <input type="checkbox"/> Medical Coverage (MEDC) <input type="checkbox"/> Paternity (PATR) <input type="checkbox"/> Possession Of Personal Property (POPP) <input type="checkbox"/> Post Separation Support (PSSU) <input type="checkbox"/> Reimbursement For Public Assistance (RPPA) <input type="checkbox"/> Visitation (VIST) <input checked="" type="checkbox"/> Other: (specify and list separately) Objection To Subpoena
Date		Signature Of Attorney/Party

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750), Motions (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE

COUNTY OF HAYWOOD 2023 SEP -7 A 11: 50 DISTRICT COURT DIVISION

23 CvD 845

HAYWOOD CO., C.S.C.

TERRY RAMEY,)

Plaintiff)

BY _____

vs.)

OBJECTION TO SUBPOENA

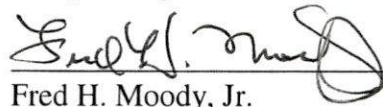
CORY VAILLANCOURT,)

Defendant.)

NOW COMES THE DEFENDANT, objecting to the subpoena served on the Defendant in this matter, and alleges and says:

- 1. Plaintiff caused a subpoena to be issued to the Defendant requiring the Defendant to produce a certain video and "Any phone communications between 11-2022 to current from or to any Haywood County Commissioners, including text or email."
- 2. The Defendant has produced the requested video by texting a link to the same to Plaintiff's phone.
- 3. The Defendant objects to the production of the remainder of the information requested for the reason that it is privileged or other protected matter and no exception or waiver applies to the privilege or protection. Moreover, the subpoena of this other information is otherwise unreasonable or oppressive in that it could not lead to evidence relevant to this case.
- 4. The subpoena is procedurally defective.

Respectfully submitted this the 4 day of September, 2023.



Fred H. Moody, Jr.
Attorney for Defendant
PO Box 670
Bryson City, NC 28713
828-488-2147
Bar # 3066

FILED

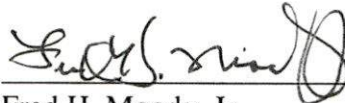
2023 SEP -7 A 11: 57

CERTIFICATE OF SERVICE

HAYWOOD CO., C.S.C.

The undersigned certifies that the foregoing Objection To Subpoena was served upon the Plaintiff in this action by depositing a copy of the same, enclosed in a first-class, postpaid wrapper properly addressed to Terry Ramey, 72 Dakota Drive, Clyde, NC 28721, in a post office or official depository under the exclusive care and custody of the United States Postal Service, on this 4 day of Sept, 2023.

This the 4 day of September, 2023.



Fred H. Moody, Jr.
Attorney for Defendant
PO Box 670
Bryson City, NC 28713
828-488-2147

STATE OF NORTH CAROLINA

File No.

23 CvD 845

HAYWOOD

County

FILED

In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff 1
TERRY RAMEY

2023 SEP -5 P 12:48

HAYWOOD CO. C.S.C.

DOMESTIC

CIVIL ACTION COVER SHEET

INITIAL FILING SUBSEQUENT FILING

Rule 5(b), Rules of Practice For Superior and District Courts

Name And Address Of Plaintiff 2

BY

VERSUS

Jury Demanded In Pleading? No Yes

Name Of Defendant 1
CORY VAILLANCOURT

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

Fred H. Moody, Jr.
PO Box 670
Bryson City, NC 28713

Summons Submitted Yes No

Telephone No.
828-488-2147

Cellular Telephone No.

Name Of Defendant 2

NC Attorney Bar No. 3066
Attorney E-Mail Address

Initial Appearance in Case Change of Address

Summons Submitted Yes No

Name Of Firm

Counsel for
 All Plaintiffs All Defendants Only (List party(ies) represented)

FAX No.
828-488-8775

TYPE OF PLEADING

CLAIMS FOR RELIEF

(check all that apply)

- Amended Answer/Reply (AMND-Response)
- Amended Complaint (AMND)
- Answer/Reply (ANSW-Response)
- Complaint (COMP)
- Confession Of Judgment (CNFJ)
- Contempt (CNTP)
- Continue (CNTN)
- Compel (CMPL)
- Counterclaim vs. (CTCL) Assess Counterclaim Costs
- Extend Time For An Answer (MEOT-Response)
- Modification Of Alimony (MALI)
- Modification Of Custody (MCUS)
- Modification Of Support in non-IV-D cases (MSUP)
- Modification Of Visitation (MVIS)
- Rule 12 Motion In Lieu Of Answer (MDLA)
- Sanctions (SANC)
- Show Cause (SHOW)
- Transfer (TRFR)
- Vacate/Modify Judgment or Order (VCMD)
- Other (OTHR):

(check all that apply)

- Alimony (ALIM)
- Annulment (ANUL)
- Child Support (CSUP)
- Custody (CUST)
- Divorce (DIVR)
- Divorce From Bed And Board (DIVB)
- Domestic Violence (DOME)
- Equitable Distribution (EQUD)
- Medical Coverage (MEDC)
- Paternity (PATR)
- Possession Of Personal Property (POPP)
- Post Separation Support (PSSU)
- Reimbursement For Public Assistance (RPPA)
- Visitation (VIST)
- Other: (specify and list separately)
50-C

Date

9/1/2023

Signature Of Attorney/Party

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750), Motions (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE

COUNTY OF HAYWOOD 2023 SEP -5 P 12:46 DISTRICT COURT DIVISION

23 CvD 875

HAYWOOD CO., C.S.C.

TERRY RAMEY,)

Plaintiff)

vs.)

MOTION TO DISMISS AND ANSWER

CORY VAILLANCOURT,)

Defendant.)

MOTION TO DISMISS

Defendant moves the court to dismiss the complaint of the Plaintiff pursuant to Rule 12 (b)(6) of the Rules of Civil Procedure for failure of the same to state a claim upon which relief can be granted.

ANSWER

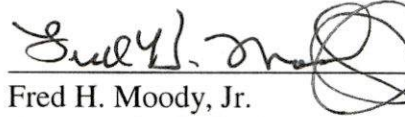
Subject to the foregoing motion, Defendant answers the allegations of th complaint as follows:

1. Denied.
2. Denied.
3. In answer to the allegations of paragraph 3 of the complaint, this answering defendant would admit that he is over 16 years of age. Except as admitted the allegations of paragraph 3 of the complaint are denied.
4. No allegation.
5. Denied.

Having answered the complaint, the defendant prays the court as follows:

1. That the complaint be dismissed.
2. For the costs of this action including a reasonable attorney fee for defendant's attorney.

4. For such other and further relief as to the court seems just and proper.



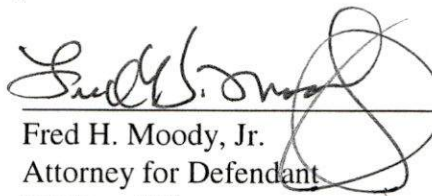
Fred H. Moody, Jr.
Attorney for Defendant
PO Box 670
Bryson City, NC 28713
828-488-2147
Bar #3066

FILED
2023 SEP -5 PM 12:49
WAYWOOD CO., C.S.C.
BY _____

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Motion and Answer was served upon the Plaintiff in this action by depositing a copy of the same, enclosed in a first class, postpaid wrapper properly addressed to Terry Ramey, 72 Dakota Drive, Clyde, NC 28721, in a post office or official depository under the exclusive care and custody of the United States Postal Service, on this 1 day of Sept., 2023.

This the 1 day of September, 2023.



Fred H. Moody, Jr.
Attorney for Defendant
PO Box 670
Bryson City, NC 28713
828-488-2147

** * Subpoena * **

Co2023005

Original

STATE OF NORTH CAROLINA

File No. **23 CUD 845**

Haywood County

In The General Court Of Justice
 District Superior Court Division

FILED

Terry Ramey
72 DAKOTA DR.
Clyde, NC. 28721
AUG 29 10:51

Additional File Numbers

Cory Vaillancourt
69 Shirdash Dr
Maggie Valley NC. 28751

SUBPOENA

G.S. 1A-1, Rule 45, 8-59, -61, -63, 15A-801, -802

Party Requesting Subpoena
 State Plaintiff Defendant

NOTE TO PARTIES NOT REPRESENTED BY COUNSEL: Subpoenas may be produced at your request, but must be signed and issued by the office of the Clerk of Superior Court, or by a magistrate or judge.

TO Name And Address Of Person Subpoenaed
Cory Vaillancourt
69 Shirdash DR.
Maggie Valley, N.C. 28751

Alternate Address

RECEIVED
AUG 29 2023

Telephone No.

Telephone No.

YOU ARE COMMANDED TO: (check all that apply)

- appear and testify, in the above entitled action, before the court at the place, date and time indicated below.
- appear and testify, in the above entitled action, at a deposition at the place, date and time indicated below.
- produce and permit inspection and copying of the following items, at the place, date and time indicated below.
 - See attached list. (List here if space sufficient)

- 1 Video from the phone that Cory was using in the historic Courthouse on June 5 - 2023 from 8.30 to 9.00 AM videoing Terry Ramey before Commissioners Meeting starting.
- 2 Any ^{phone} communications between 11-2022 to current from or to Any Haywood County Commissioners, including text or e-mail.

Name And Location Of Court/Place Of Deposition/Place To Produce
Haywood County Clerk of Court
Haywood County Justice Center

Date To Appear/Produce, Until Released

9-10-2023 or before

Time To Appear/Produce, Until Released

8 AM

AM PM

Name And Address Of Applicant Or Applicant's Attorney

Terry Ramey
72 DAKOTA DR.
Clyde, NC. 28721

Date
8-29-2023

Signature

[Handwritten Signature]

Deputy CSC

Assistant CSC

Clerk Of Superior Court

Magistrate

Attorney-DA

District Court Judge

Superior Court Judge

Telephone No. Of Applicant Or Applicant's Attorney
828-550-7638

RETURN OF SERVICE

I certify this subpoena was received and served on the person subpoenaed as follows:

- By personal delivery. registered or certified mail, receipt requested and attached.
- telephone communication by Sheriff (use only for a witness subpoenaed to appear and testify).
- telephone communication by local law enforcement agency (use only for a witness subpoenaed to appear and testify in a criminal case).

NOTE TO COURT: If the witness was served by telephone communication from a local law enforcement agency in a criminal case, the court may not issue a show cause order or order for arrest against the witness until the witness has been served personally with the written subpoena.

I was unable to serve this subpoena. Reason unable to serve:

Service Fee	<input type="checkbox"/> Paid <input type="checkbox"/> Due	Date Served	Name Of Authorized Server (type or print)	Signature Of Authorized Server	Title/Agency
		<i>8/30/2023</i>	<i>Joshua Moody</i>	<i>[Signature]</i>	<i>Sgt/HCSO</i>

TO PERSON REQUESTING SUBPOENA: A copy of this subpoena must be delivered, mailed or faxed to the attorney for each party in this case. If a party is not represented by an attorney, the copy must be mailed or delivered to the party. This does not apply in criminal cases.