

SUPREME COURT OF NORTH CAROLINA

HOKE COUNTY BOARD OF)
 EDUCATION; HALIFAX COUNTY)
 BOARD OF EDUCATION; ROBESON)
 COUNTY BOARD OF EDUCATION;)
 CUMBERLAND COUNTY BOARD OF)
 EDUCATION; VANCE COUNTY)
 BOARD OF EDUCATION; RANDY L.)
 HASTY, individually and as Guardian *Ad*)
Litem of RANDELL B. HASTY;)
 STEVEN R. SUNKEL, individually and)
 as Guardian *Ad Litem* of ANDREW J.)
 SUNKEL; LIONEL WHIDBEE,)
 individually and as Guardian *Ad Litem* of)
 JEREMY L. WHIDBEE; TYRONE T.)
 WILLIAMS, individually and as Guardian)
Ad Litem of TREVELYN L. WILLIAMS;)
 D.E. LOCKLEAR, JR., individually and)
 as Guardian *Ad Litem* of JASON E.)
 LOCKLEAR; ANGUS B. THOMPSON)
 II, individually and as Guardian *Ad Litem*)
 of VANDALIAH J. THOMPSON;)
 MARY ELIZABETH LOWERY,)
 individually and as Guardian *Ad Litem* of)
 LANNIE RAE LOWERY, JENNIE G.)
 PEARSON, individually and as Guardian)
Ad Litem of SHARESE D. PEARSON;)
 BENITA B. TIPTON, individually and as)
 Guardian *Ad Litem* of WHITNEY B.)
 TIPTON; DANA HOLTON JENKINS,)
 individually and as Guardian *Ad Litem* of)
 RACHEL M. JENKINS; LEON R.)
 ROBINSON, individually and as)
 Guardian *Ad Litem* of JUSTIN A.)
 ROBINSON,)
)
)
 Plaintiffs,)

From Wake County

and)
CHARLOTTE-MECKLENBURG)
BOARD OF EDUCATION,)
Plaintiff-Intervenor,)
and)
RAFAEL PENN; CLIFTON JONES,)
individually and as Guardian *Ad Litem* of)
CLIFTON MATTHEW JONES;)
DONNA JENKINS DAWSON,)
individually and as Guardian *Ad Litem* of)
NEISHA SHEMAY DAWSON and)
TYLER ANTHONY HOUGH-)
JENKINS,)
Plaintiff-Intervenors,)
v.)
STATE OF NORTH CAROLINA and)
the STATE BOARD OF EDUCATION,)
Defendants,)
and)
CHARLOTTE-MECKLENBURG)
BOARD OF EDUCATION,)
Realigned Defendant.)

APPELLEES' JOINT MOTION FOR AN EXTENSION OF TIME TO FILE
AND SERVE THEIR NEW BRIEFS

TO THE HONORABLE SUPREME COURT OF NORTH CAROLINA:

Plaintiffs-Appellees Hoke County Board of Education *et al.*, Plaintiff-Intervenors Rafael Penn *et al.*, and Plaintiff-Intervenor-Appellee Charlotte-Mecklenburg Board of Education (collectively, the “Plaintiff-Appellees”), and Defendant-Appellee State Board of Education (the “State Board Appellee”) hereby jointly move, pursuant to Rule 27(c) of the North Carolina Rules of Appellate Procedure, for a thirty (30) day extension of time, to and including 24 July 2013, in which to file and serve their new briefs in this matter. In support of this joint motion, the Plaintiff-Appellees and the State Board Appellee state as follows:

1. Appellant State of North Carolina served its brief in this matter, by U.S. Mail, on 20 May 2013.
2. Each of the Plaintiff-Appellees and the State Board Appellee anticipate filing a responsive brief. The deadline for the Plaintiff-Appellees and the State Board Appellee to file their briefs with this Court is currently 24 June 2013.
3. The Plaintiff-Appellees’ and the State Board Appellee’s time for filing and serving their briefs has not expired.
4. The Plaintiff-Appellees and the State Board Appellee have not previously been granted any extensions of time for filing or serving their briefs.
5. The Plaintiff-Appellees and the State Board Appellee need additional

time in order to prepare their briefs in this matter. They do not request this extension of time for the impermissible purpose of delay.

6. Appellant State of North Carolina was granted an initial 30-day extension of time by Order dated 25 March 2013 and an additional 12-day extension of additional time by Order dated 30 April 2013 to file its appellant brief in this matter.

7. Appellant State of North Carolina, by counsel, does not oppose this motion.

WHEREFORE, the Plaintiff-Appellees and the State Board Appellee respectfully request an extension of time to and including 24 July 2013 to file and serve their briefs in this matter.

Respectfully submitted, this the 11th day of June, 2013.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **APPELLEES' JOINT MOTION FOR AN EXTENSION OF TIME TO FILE AND SERVE THEIR BRIEFS** by depositing same in United States mail, postage pre-paid, addressed as follows:

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This the 11th day of June, 2013.

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