

NO. 158PA23

FIFTEENTH DISTRICT

BEFORE THE NORTH CAROLINA SUPREME COURT

MAURICE DEVALLE

)

)

Petitioner/Appellee

)

v.

)

From Columbus County

)

No. 20CVS1273

N.C. SHERIFF'S EDUCATION
AND TRAINING STANDARDS
COMMISSION

)

COA 158PA23

)

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)

Respondent/Appellant

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APPELLEE DEVALLE'S MOTION FOR ADDITIONAL TIME
TO FILE HIS RESPONSE BRIEF

TO THE HONORABLE SUPREME COURT OF NORTH CAROLINA

Now comes Petitioner Appellee Maurice Devalle and respectfully moves this Court to issue an order allowing Appellee Devalle an additional forty days in which to file his response brief.

As grounds for this motion, Appellee Devalle shows the Court as follows:

The Appellant Commission filed its brief on August 6, 2024. Therefore, Appellee Devalle's brief is due on September 5, 2024. Appellee Devalle respectfully seeks a forty-day enlargement of time in order to file his brief due to the following circumstances.

The undersigned Appellees' counsel has recently encountered very extenuating family and medical circumstances.

Counsel's brother, James Patrick McGuinness, served as a state bar certified paralegal and a licensed investigator with the McGuinness Law Firm since 1992. In recent years, he had served part time but often had vitally important work assignments. He became ill in the spring, had surgeries and ultimately passed away in July 2024. The undersigned counsel has had to assume his work responsibilities and handle personal matters from his passing.

The issues in this case necessitate additional research and analysis before the brief can be prepared. Devalle's counsel has had other recent pressing litigation responsibilities. Additional time is needed to properly complete the required tasks needed to prepare the response brief.

Appellee's counsel has recently been diagnosed with Rocky Mountain Spotted Fever and has been recovering but still experiencing symptoms.

Appellee's counsel has been advised that the Appellant Commission does not object to this motion.

Wherefore, Appellee prays that this Court allow until October 15, 2024, in which to file his response brief.

/s/ J. Michael McGuinness
J. Michael McGuinness
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Certificate of Service

I have had served a copy of the foregoing upon Joy Strickland, Assistant Attorney General, 9001 Mail Service Center, Raleigh, N.C. 27699-9001 via email to jstrickland@ncdoj.gov this 26th day of August, 2024.

/s/ J. Michael McGuinness
 J. Michael McGuinness