

No. 410PA18-2

TENTH JUDICIAL DISTRICT

SUPREME COURT OF NORTH CAROLINA

\*\*\*\*\*

TOWN OF APEX,	)	
	)	
Plaintiff-Appellant,	)	<u>From Wake County</u>
v.	)	15-CVS-5836
	)	COA20-304
BEVERLY L. RUBIN,	)	2021-NCCOA-187
	)	
Defendant-Appellee.	)	

No. 206PA21

TENTH JUDICIAL DISTRICT

SUPREME COURT OF NORTH CAROLINA

\*\*\*\*\*

TOWN OF APEX,	)	
	)	
Plaintiff-Appellant,	)	<u>From Wake County</u>
v.	)	19-CVS-6295
	)	COA20-305
BEVERLY L. RUBIN,	)	2021-NCCOA-188
	)	
Defendant-Appellee.	)	

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**PLAINTIFF-APPELLANT'S MEMORANDUM  
OF ADDITIONAL AUTHORITIES**

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Pursuant to Rule 28(g) of the North Carolina Rules of Appellate Procedure Rule, Plaintiff-Appellant Town of Apex hereby submits the following recently published decisions as additional authority on the following issues:

*Askew v. City of Kinston*, 55A23, 902 S.E.2d 722 (NC, June 28, 2024). This decision is relevant to the issues of whether *Corum v. Univ. of N.C.*, 330 N.C. 761, 413 S.E.2d 276 (1992) is applicable herein, the established limitations on direct Constitutional lawsuits, and adequate state remedies.

*Askew v. City of Kinston*, 22-407-2, 2024 WL 386734, (NC COA, August 20, 2024). This decision is relevant to the issues of whether *Corum v. Univ. of N.C.*, 330 N.C. 761, 413 S.E.2d 276 (1992) is applicable herein, the established limitations on direct Constitutional lawsuits, and adequate state remedies.

*Washington v. Cline*, 385 N.C. 824, 898 S.E.2d 667 (NC, March 22, 2024). This decision is relevant to the issues of whether *Corum v. Univ. of N.C.*, 330 N.C. 761, 413 S.E.2d 276 (1992) is applicable herein, the established limitations on direct Constitutional lawsuits, and adequate state remedies.

Respectfully submitted, this the 20<sup>th</sup> day of September, 2024.

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N.C. R. App. P. 33(b) Certification: I certify that all of the attorneys listed below have authorized me to list their names on this document as if they had personally signed it.

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of Apex*

## CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served a copy of the foregoing **PLAINTIFF-APPELLANT'S MEMORANDUM OF ADDITIONAL AUTHORITIES** upon the parties by depositing the same in the United States mail, first class postage prepaid, addressed as follows:

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*Beverly L. Rubin*

This the 20<sup>th</sup> day of September, 2024.

/s/ David P. Ferrell  
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