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September 28, 2015

Clerk of Superior Court of Gaston County
Courthouse
325 N. Marietta St.
Gastonia, NC 28052-2331

Re: *Dan Deitz and Ellen Deitz Tucker v. CITY OF BELMONT and BARRY WEBB, in his official capacity as City Manager for the City of Belmont*
Docket No.: 15-CVS-3203 (Gaston County)
CSH File No.: 00538.994407

Dear Clerk of Court:

Please find enclosed an original and a copy of Defendants' Motion and Order for an Extension of Time to Answer or otherwise plead in the above matter. Please file the original in the court file and return a file-stamped, executed copy to our office in the enclosed self-addressed, metered envelope.

Please call me with any questions or concerns. Thank you for your assistance in this matter.

Sincerely,

Nancy Swoyer
Paralegal

/nls

Enclosure

cc: **Elliot Engstrom, Esq.**
Christian Ayers, Esq. and Brett Dressler, Esq.

STATE OF NORTH CAROLINA
COUNTY OF GASTON

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
15-CVS-3203

DAN DEITZ and ELLEN DEITZ)
TUCKER,)

Plaintiffs,)

v.)

CITY OF BELMONT, BARRY WEBB, in)
his official capacity as City Manager for the)
City of Belmont,)

Defendants.)


**MOTION FOR EXTENSION OF TIME
FOR DEFENDANTS TO ANSWER OR
OTHERWISE PLEAD TO PLAINTIFFS'
COMPLAINT**

MOTION

NOW COME Defendants, acting by and through their attorneys, Cranfill Sumner & Hartzog, LLP, and respectfully show unto the Court that additional time is needed for investigation and preparation of pleadings in the above case and respectfully move the Court for a thirty (30) day extension of time, within which to serve answer or otherwise plead. Defendants were served with the Summons and Complaint on September 2, 2015.

This the 28th day of September, 2015.

CRANFILL SUMNER & HARTZOG, LLP

By: 
Bradley P. Kline, Esq. (State Bar # 34045)
Attorneys for Defendants
P.O. Box 30787
Charlotte, NC 28230
Telephone (704)332-8300

STATE OF NORTH CAROLINA
COUNTY OF GASTON

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
15-CVS-3203

DAN DEITZ and ELLEN DEITZ)
TUCKER,)
)
Plaintiffs,)
)
v.)
)
CITY OF BELMONT, BARRY WEBB, in)
his official capacity as City Manager for the)
City of Belmont,)
)
Defendants.)

ORDER

ORDER

In the above-entitled action Defendants, having for good cause shown, made application for additional time within which to serve answer or otherwise plead;

IT IS NOW ORDERED that Defendants be and are hereby granted additional time within which to serve answer or otherwise plead to and including the 1st day of November, 2015, or the next day that is not a weekend or holiday.

This the _____ day of September, 2015.

CLERK OF SUPERIOR COURT
GASTON COUNTY

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the attached Motion and Order for Extension of Time for Defendants to Answer or Otherwise Plead to Plaintiffs' Complaint on all known parties to this cause by:


- _____ Hand delivering a copy hereof to the attorney for each said party addressed as follows:
- X Depositing a copy hereof, postage prepaid, in the United States Mail, addressed to the attorney for each said party as follows:
- _____ Depositing a copy hereof with a nationally recognized overnight courier service, for overnight delivery, addressed to the attorney for each said party as follows:
- _____ Telecopying a copy hereof to the attorney for each said party as follows:

Elliot Engstrom
Center for Law and Freedom
Civitas Institute
100 S. Harrington St.
Raleigh, NC 27603

Christian Ayers
Brett Dressler
Sellers Ayers Dortch & Lyons
301 S. McDowell St., Ste. 410
Charlotte, NC 28204

This the 28th day of September, 2015.

CRANFILL SUMNER & HARTZOG, LLP

BY: 
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