



CRIMINAL DEFENSE  
DIVORCE & FAMILY LAW  
EDUCATION LAW  
CIVIL LITIGATION  
APPEALS

November 16, 2021

**VIA FEDERAL EXPRESS**

New Hanover County Courthouse  
Clerk of Superior Court  
316 Princess Street  
Wilmington, NC 28401

Re: *David A. Perry v. New Hanover County Board of Education, et al.*  
File No. 21 CVS 003915

Dear Clerk:

Enclosed you will find the original and one copy each of Defendants' Motion for Extension of Time and proposed order for filing in the above-referenced matter. Please return file-stamped copies of the motion and order in the enclosed self-addressed stamped envelope that I have enclosed for your convenience.

If you have any questions, please feel free to contact Colin Shive or Maya Weinstein. I appreciate your assistance with this matter.

Sincerely,

THARRINGTON SMITH, L.L.P.

*/s/ Sarah Richeda*

Sarah Richeda  
N.C. State Bar Certified Paralegal

Enclosures as stated

C: David Perry (via U.S. Mail)

STATE OF NORTH CAROLINA  
NEW HANOVER COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21 CVS 3915

DAVID A. PERRY, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
NEW HANOVER COUNTY BOARD OF )  
EDUCATION; and )  
 )  
NEW HANOVER COUNTY SHERIFF'S )  
OFFICE, )  
 )  
 )  
 )  
Defendants. )

**MOTION FOR EXTENSION OF TIME**

Defendant New Hanover County Board of Education ("Defendant Board"), by and through counsel and pursuant to Rule 6(b) of the North Carolina Rules of Civil Procedure moves the Court to extend the time for serving an Answer or other responsive pleading by an additional thirty (30) days, to and including December 22, 2021.

In support of this motion, Defendant Board respectfully shows the following:

1. The Complaint in this action was filed on October 14, 2021, and was served on Defendant Board on or about October 19, 2021.
2. Defendant Board filed a Motion to Dismiss on October 28, 2021.
3. By Order dated November 2, 2021, The Honorable Kent Harrell denied Defendant Board's Motion to Dismiss.
4. Counsel for Defendant Board requires additional time to prepare a responsive pleading.

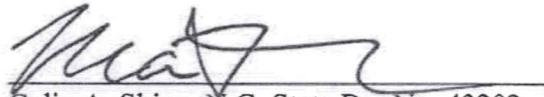
5. The time for Defendant Board to answer or otherwise respond has not yet expired.

6. This motion is made in good faith and is not made for the purpose of delay.

WHEREFORE, Defendant Board requests an extension of time to file an Answer or other responsive pleading by an additional thirty (30) days, to and including December 22, 2021.

This the 16<sup>th</sup> day of November 2021.

THARRINGTON SMITH, L.L.P.



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Attorneys for School Board Defendants

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that the foregoing **Motion for Extension of Time** was served upon plaintiff this date via Federal Express and electronic mail addressed to:

David A. Perry  
4709 Cornus Drive  
Wilmington, NC 28412  
[dperrync@icloud.com](mailto:dperrync@icloud.com)  
*Pro Se Plaintiff*

This the 16<sup>th</sup> day of November 2021.

  
\_\_\_\_\_  
THARRINGTON SMITH, L.L.P.

COPY TO:

Valerie Jordan  
(via email only, [Valerie.Jordan@nccourts.org](mailto:Valerie.Jordan@nccourts.org))

STATE OF NORTH CAROLINA  
NEW HANOVER COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21 CVS 3915

DAVID A. PERRY, )  
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Plaintiff, )  
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v. )  
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NEW HANOVER COUNTY BOARD OF )  
EDUCATION; and )  
 )  
NEW HANOVER COUNTY SHERIFF'S )  
OFFICE, )  
 )  
 )  
Defendants. )

**ORDER EXTENDING TIME**

THIS CAUSE being heard before the undersigned Clerk of Superior Court upon the Motion of Defendant New Hanover County Board of Education for an Order extending the time within which to serve an Answer or otherwise respond to Plaintiffs' Complaint, pursuant to Rule 6 of the North Carolina Rules of Civil Procedure; and, for good cause, the motion should be ALLOWED.

IT IS, THEREFORE, ORDERED that the time for Defendant New Hanover Board of Education to serve an Answer or otherwise respond to Plaintiffs' Complaint, is extended thirty (30) days, to and including December 22, 2021.

This the \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Clerk of Superior Court