



STATE OF NORTH CAROLINA OFFICE OF ADMINISTRATIVE HEARINGS

On September 29, 2024, The Honorable Paul Newby, Chief Justice of the North Carolina Supreme Court, issued an order pursuant to N.C.G.S. § 7A-39(b)(1) that “catastrophic conditions resulting from severe weather and flooding exist or have existed in certain western North Carolina counties [listed below]” The Chief Justice’s Order of September 29, 2024 is set to expire on October 14, 2024. By Order dated October 11, 2024, the Chief Justice has extended the amended order issued on September 30, 2024.

N.C.G.S. § 150B-23(f) provides that “When the Chief Justice of the North Carolina Supreme Court determines and declares that catastrophic conditions exist or have existed in one or more counties of the State and issues an order pursuant to G.S. 7A-39(b), the chief administrative law judge may by order entered pursuant to this subsection extend, to a date certain no fewer than 10 days after the effective date of the order, the time or period of limitation, whether established by another statute or this section, for the filing of a petition for a contested case. The order shall be in writing and becomes effective for each affected county upon the date set forth in the order, and if no date is set forth in the order, then upon the date the order is signed by the chief administrative law judge. The order shall provide that it expires upon the expiration of the Chief Justice's order.”

By the authority granted to the Chief Administrative Law Judge under North Carolina General Statute § 150b-23(f), I hereby order that the filing of a petition for a contested case, originating in any of North Carolina’s counties listed in the Chief Justice’s October 11, 2024 Order, shall be deemed timely filed if the petition is filed in the Office of Administrative Hearings between the effective date of my order as Chief Administrative Law Judge and the close of business on October 28, 2024, notwithstanding the expiration of the time limit for filing of a petition in a contested case as established in N.C.G.S. 150B-23(f).

This Order is effective beginning October 15, 2024, and shall expire on October 28, 2024, upon the same terms and conditions as the expiration of the Chief Justice’s October 11, 2024 Order.

IT IS SO ORDERED, this the 14th day of October 2024.

Donald R. van der Vaart
Chief Administrative Law Judge

Counties Affected by this Order

Avery	Mitchell
Buncombe	Polk
Haywood	Rutherford
Henderson	Transylvania
Jackson	Watauga
Madison	Yancey
McDowell	



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