

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
15 CPS 00463

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Dalton James, )  
Petitioner )  
vs. )  
N. C. Victims Compensation Commission, )  
Respondent )  
)  
)  
)

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**FINAL DECISION**

**ORDER GRANTING SUMMARY JUDGMENT**

THIS CAUSE coming on to be heard on April 16, 2015 before the undersigned Administrative Law Judge on the Motion for Summary Judgment by the Respondent; Petitioner has not filed a Response; and it appearing to the Undersigned that there is no genuine issue as to any material fact; and the Respondent is entitled to Summary Judgment as a matter of law.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Motion for Summary Judgment is granted in favor of the Respondent.

Judgment hereby is entered for Respondent.

This decision is made under the authority of G.S. § 150B-34(e).

**NOTICE**

**This is a Final Decision** issued under the authority of N.C. Gen. Stat. § 150B-34.

Under the provisions of North Carolina General Statute § 150B-45, any party wishing to appeal the final decision of the Administrative Law Judge must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. **The appealing party must file the petition within 30 days after being served with a written copy of the Administrative Law Judge's Final Decision.** In conformity with the Office of Administrative Hearings' rule, 26 N.C. Admin. Code 03.0102, and the Rules of Civil Procedure, N.C. General Statute 1A-1, Article 2, **this Final Decision was served on the parties the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Final Decision.** N.C. Gen. Stat. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. Under N.C. Gen. Stat. § 150B-47, the Office of Administrative Hearings is required to file the official record in the contested case with the Clerk of Superior Court within 30 days of receipt of the Petition for Judicial Review. Consequently, a copy of the Petition for Judicial

Review must be sent to the Office of Administrative Hearings at the time the appeal is initiated in order to ensure the timely filing of the record.

**IT IS SO ORDERED.**

This the 27th day of April, 2015.

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Selina M. Brooks  
Administrative Law Judge