

Trial Administrator Hopes To Reduce Backlog Of Cases

BY ETTA SMITH

Jim Thompson wants to make some changes in the 13th District Court system.

After all, that's his job.

Some of the things Thompson, 37, wants to do as the system's new trial administrator is to reduce the backlog of court cases, help speed up the process of jury selections and try to ease the lack of space he said exists in the district's courtrooms.

Thompson began working in his office in Whiteville this month; from there he will work with the courts in Brunswick, Columbus and Bladen counties. He is presently working with state court administrators on ways to catch up the case backlog.

"I'll be making scheduling recommendations to the chief superior and district court judges," said Thompson. "These judges want to be able to get a judgment; they don't want to have these cases just sit there."

He said he will define criteria and make recommendations for the selection of juries, which should also speed up the backlog. Thompson said Columbus County

has the largest number of cases in the district, Brunswick the second largest and Bladen the third largest. "I don't know for sure, but I think the way Brunswick County is growing it will eventually have the largest number of cases," he said.

That's why he said he would eventually like to see Brunswick County's courtrooms enlarged. "The size of the courtrooms here are inadequate for the volume of cases handled in them," said Thompson.

He said the Superior Court judges also want him to look at state law requirements on fingerprinting people charged with misdemeanor and felony crimes.

"The SBI has recommended ways to make the procedure more uniform in all districts," said Thompson. "We want to make sure this district has followed through with those recommendations or if it could be more closely conformed to it."

Another of Thompson's jobs will be to order supplies for the judge's offices and to make his secretary available to do their typing and filing.

Thompson is the first administrator for this district, and the ninth one to be employed in the state. He and his wife Mary Ann moved to Whiteville Dec. 29 from Saginaw, Mich., where he served as a clerk magistrate and trial administrator.

Bridge Right-Of-Way Decision Appealed

Two Ocean Isle Beach property owners whose lands were condemned by the state to make way for a high-rise bridge are appealing a recent court decision that limits the basis on which they can claim damages.

The judgement issued Jan. 10 by 13th District Superior Court Emergency Judge Henry A. McKinnon sets out what lands on which defendant Odell Williamson can seek compensation and damages, ordering an amended plat, and dismisses defendant Harry L. Rickenbacker's claim for damages.

The defendants, Williamson and his wife Virginia; William T. Bullington Jr., lessee; and defendants Rickenbacker and wife Judy, are appealing McKinnon's judgement on the basis of errors they intend to show were committed during the course of May 28 hearing, according to the notice of appeal filed Dec. 29 by their attorney, Henry Foy.

The two cases had been combined for a May 28 hearing before McKinnon in Brunswick County Superior Court to resolve several questions common to both suits prior to jury trials to determine the compensation due the defendants.

DOT began condemnation procedures against Williamson and Rickenbacker in September 1983 after Williamson rejected an offer of \$300,000 for 2.4 acres located along both sides of N.C. 904 on the island end of the bridge. Rickenbacker rejected an offer of \$1,950 for about eight-tenths of an acre of marshland bordering the Intracoastal Waterway on the island.

When the high-rise bridge was built, portions of old N.C. 904 were closed off.

In his December judgement, McKinnon ruled that Williamson had not suffered compensable damage to property east of old N.C. 904 because

of the abandonment of the old bridge and creation of a barricade and cul-de-sac on old N.C. 904 or by the change of access from their property east of old N.C. 904 to the new N.C. 904.

As a finding of fact, the court agreed with Williamson, however, that the lots he owns on both sides of old N.C. 904 and the new highway have a "unity of ownership, of land and of purpose" that should be considered in determining the compensation due him for the taking of a portion of the land for the bridge, said McKinnon, including damage, if any, to the remainder.

He was referring to the portion of Williamson's land that lies outside the boundaries of the Intracoastal Waterway.

McKinnon also ruled that the defendants have failed to show, either by recorded title or adverse possession, that they have a compensable interest in lands they had

claimed title to within the limits of the Intracoastal Waterway.

In his dismissal of the Rickenbackers' claim, he said the couple had not established ownership of any land outside the right-of-way of the Intracoastal Waterway. Rickenbacker had sought compensation, saying the remainder of his property was no longer accessible.

In answer to a related query, McKinnon ruled there was no reason to stop DOT from denying that Williamson and Rickenbacker hold title to those lands within the waterway limits.

He also ruled that the defendants have failed to show that the state discriminated against them in the taking.

Williamson and Rickenbacker had raised the question, saying the N.C. Department of Administration in the past had recognized the claims of others to lands located within the Intracoastal Waterway right-of-way.



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