

STATE OF NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
19 CVS 8163

STEVEN MCRAE,

Plaintiff,

v.

KYLE RUSSELL CURTIS,

Defendant.

ORDER CONTINUING HEARING

1. The Court held a hearing on a Show Cause Order on October 15, 2021, (ECF No. 74). The Order was directed to Defendant, Kyle Russell Curtis (“Mr. Curtis”), as a result of his failure to comply with multiple orders of this Court.

2. Mr. Curtis was required to show cause why he should not be held in criminal contempt for failure to appear at prior hearings, as well as civil contempt for failure to comply with a Judgment (ECF No. 74) and subsequent orders (ECF Nos. 26, 57, 61, 66) requiring him to produce certain information and documents.

3. Plaintiff appeared on October 15, 2021, through counsel. Mr. Curtis appeared *pro se*. Ms. Leah Howell, Assistant District Attorney for Guilford County, was also present.

4. Following receipt of information from Ms. Howell and from the Court regarding the penalties for civil and criminal contempt—which include incarceration—and an explanation of his right to counsel, Mr. Curtis moved for the opportunity to obtain counsel before proceeding with the hearing. The Court found that the requested continuance was in the interest of justice and granted the motion.

5. The hearing on the Show Cause Order has been rescheduled for November 9, 2021, at 9:30 a.m., at the North Carolina Business Court.

6. The appearance bond governing Mr. Curtis will remain in place.

7. Mr. Curtis remains required to show cause why he should not be held in civil contempt for his continuing failure to comply with the Judgment and Orders of this Court.

8. Once Mr. Curtis has retained counsel, a Notice of Appearance should be filed with the Guilford County Clerk of Court, as well as in this Court's electronic filing system.

9. **IT IS HEREBY ORDERED** that Defendant Kyle Russell Curtis **SHALL APPEAR** before the Court at 9:30 a.m. on Tuesday, 9 November 2021, at the North Carolina Business Court, 211 N. Greene Street, Greensboro, North Carolina 27401, to **SHOW CAUSE** why he should not be found in criminal contempt for failing to comply with the Court's 13 May 2021, 25 May 2021 and 30 June 2021 Orders; and also to **SHOW CAUSE** why he should not be found in civil contempt for failing to comply with the Judgment and Orders in this matter.

IT IS SO ORDERED, this the 19th day of October, 2021.

/s/ Julianna Theall Earp

Julianna Theall Earp
Special Superior Court Judge
for Complex Business Cases