

NICHOLS, CHOI & LEE, PLLC

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Nonprofit
Employment
Administrative
Occupational Licensing

August 5, 2021

Wake County Clerk of Superior Court
PO Box 351
Raleigh, NC 27602-0351

Re: *North Carolina Landscape Contractors' Licensing Board v. Jeff Blackwell dba Blackwell Landscape Group, Inc.*; Wake Co. Superior Court; 20 CVS 15053

Dear Clerk:

Enclosed is a Certificate of Service for the Default Judgment in the above referenced matter. Please file stamp the original of the Certificate of Service for the Court and return a file stamped copy in the enclosed self-addressed, stamped envelope. By copy of this letter, we are serving all parties.

Thank you for your assistance in this matter, and please contact our office with any questions.

Sincerely,

NICHOLS, CHOI & LEE, PLLC



Dena J. Brown
NC Certified Paralegal

Enc.

cc: Jeff Blackwell
Calvin M. Kirven (via email)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 15053

NORTH CAROLINA LANDSCAPE)
CONTRACTORS' LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
JEFF BLACKWELL dba)
BLACKWELL LANDSCAPE)
GROUP, INC.,)
)
Defendant.)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **DEFAULT JUDGMENT** was served upon the Defendant by depositing a copy of the same in the US Mail, postage prepaid, and addressed as follows:

Jeff Blackwell
dba Blackwell Landscape Group, Inc.
390 Main Street
McAdenville, NC 28101

Jeff Blackwell
dba Blackwell Landscape Group, Inc.
113 N. Darlington Avenue
Lamar, SC 29069

This the 5th day of August 2021.



A. Grant Simpkins
Nichols, Choi & Lee, PLLC
4700 Homewood Court, Suite 220
Raleigh, NC 27609
State Bar #54990
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STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 15053

NORTH CAROLINA LANDSCAPE)
CONTRACTORS' LICENSING BOARD,)
Plaintiff,)

v.)

JEFF BLACKWELL dba)
BLACKWELL LANDSCAPE)
GROUP, INC.,)
Defendant.)

DEFAULT JUDGMENT

The North Carolina Landscape Contractors' Licensing Board's ("Plaintiff") Motion for Default Judgment was heard on August 3, 2021, before the undersigned presiding judge. The Court having reviewed the pleadings, makes the following:

FINDINGS OF FACT

1. Plaintiff is an agency of the State of North Carolina created under the authority of Chapter 89D of the General Statutes of North Carolina.
2. Defendant JEFF BLACKWELL dba BLACKWELL LANDSCAPE GROUP, INC. maintains a residence at:
 - a. 290 Main Street, McAdenville, NC 28101; and/or
 - b. 113 N. Darlington Avenue, Lamar, SC 29069.
3. Defendant is not presently and was not previously licensed as a Landscape Contractor, as defined by N.C. Gen. Stat. § 89D-11(3), by Plaintiff Board.
4. Defendant engaged in the practice of landscape contracting and advertised as a licensed landscape contractor in violation of N.C. Gen. Stat. §§ 89D-11 and 89D-12 in that Defendant uses the designation landscape contractor, advertises as a licensed landscape contractor, and/or uses titles that imply licensure as a landscape contractor.

5. Defendant has been duly served with the Summons and Complaint and Application for Injunctive Relief in this action.

6. Entry of Default was filed on May 19, 2021.

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. Plaintiff is authorized to bring this suit and to obtain injunctive relief under the provisions of N.C. Gen. Stat. § 89D-24.

2. Defendant has violated N.C. Gen. Stat. §§ 89D-11(3) and 89D-12(a).

3. Plaintiff is entitled to judgment by default.

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED, ADJUDGED and DECREED that:

- I. Plaintiff's Motion for Default Judgment is hereby granted; and
- II. Defendant is hereby permanently enjoined from the practice of landscape construction or contracting and advertising as a licensed landscape contractor in North Carolina, until such time as he is licensed by the Board.
- III. That the costs of this action, including Plaintiff's reasonable costs associated with the investigation and prosecution of Defendant's violation, be taxed against Defendant.

This the 5th of August, 2021.



Mark A. Sternlicht
Superior Court Judge, Presiding