

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
22 CVS 11472

NORTH CAROLINA LANDSCAPE )  
CONTRACTORS' LICENSING BOARD, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ANDY MAZZUCCO t/a )  
MAZZUCCO CONSTRUCTION, )  
 )  
Defendant. )

**ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
DEFAULT JUDGMENT**

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The North Carolina Landscape Contractors' Licensing Board's ("Plaintiff") Motion for Default Judgment was heard on May 9, 2023, 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 Andy Mazzucco t/a Mazzucco Construction ("Defendant") is:
  - a. An individual who resides at 700 Cavendish Lane, Waxhaw, Union County, North Carolina; and
  - b. Not presently and was not previously licensed by Plaintiff as a "Landscape Contractor" as that term is defined by N.C. Gen. Stat. § 89-11(3).
3. Defendant engaged in the practice of landscape contracting in violation of N.C. Gen. Stat. § 89D-11 and 89-12 in that Defendant entered into a contract for work to be performed in excess of \$30,000.00.
4. Defendant has been duly served with the Summons and Complaint and Application for Injunctive Relief in this action.
5. Entry of Default was filed on November 9, 2022.

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

CONCLUSIONS OF LAW

- I. 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 and 89D-12.
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 in North Carolina until such time as Defendant is licensed by the Board.

This the 23 day of May, 2023.

5/23/2023 9:50:53 AM



Paul A. Holcombe  
Superior Court Judge, Presiding