

WAKE COUNTY

SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: S. Smallwood

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

COUNTY OF WAKE

24CV008058-910

NORTH CAROLINA LANDSCAPE)
CONTRACTORS' LICENSING BOARD,)

Plaintiff,)

v.)

DARCO LANDSCAPING, LLC, and)
DUSTIN THOMAS BAKER t/a DARCO)
LANDSCAPING, LLC,)

Defendants.)

**ORDER GRANTING DEFAULT
JUDGMENT**

The North Carolina Landscape Contractors' Licensing Board's ("Plaintiff") Motion for Default Judgment was heard on June 11, 2024, 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 Darco Landscaping, LLC ("Defendant LLC") is:
 - a) Was a limited liability company organized under the laws of North Carolina with a principal place of business of 2862 Cedar Creek Rd., Youngsville, North Carolina, and has been administratively dissolved; and
 - b) Was previously licensed by Plaintiff Board as a "Landscape Contractor," as that term is defined by N.C. Gen. Stat. § 89D-11(3), license number CL.0821. Defendant LLC's license expired on July 31, 2016
3. Defendant Dustin Thomas Baker t/a Darco Landscaping, LLC, ("Defendant Baker"):
 - a) Is a citizen and resident of Franklin County who resides at 658 Holden Rd., Youngsville, North Carolina;
 - b) President of Defendant LLC; and

- c) Was previously licensed by Plaintiff Board as a “Landscape Contractor,” as that term is defined by N.C. Gen. Stat. § 89D-11(3), license number L.2363. Defendant Baker’s license expired on July 31, 2020.
4. Defendant engaged in the practice of landscape contracting in violation of N.C. Gen. Stat. §§ 89D-11 and 89D-12 in that Defendant entered into a contract to provide landscaping services in excess of \$30,000.00.
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 April 30, 2024.

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 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.

SO ORDERED. August 1, 2024



Graham A. Shirley
Superior Court Judge Presiding

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