

ANTHONY S. MINA

: DARE COUNTY SUPERIOR COURT

Petitioner

:

FILED

V.

: No.

DATE: December 18, 2024

TIME: 2:48:51 PM

SOUTHERN SHORES/WES HASKETT

:

DARE COUNTY

CLERK OF SUPERIOR COURT

Respondent

: Southern Shores No. VA-24-01.

BY: L. Watts

:

PROPOSED WRIT OF CERTIORARI

Now, that on this 12/18/2024 day, of _____, 2024 a Petition For Writ Of Certiorari has been filed in the Dare County Superior Court, Respondent Southern Shores/Wes Haskett is hereby ORDERED to prepare and certify to the court a complete record from the proceedings Variance No. VA-24-01 within 30 days of the date 12/18/2024.

Petitioner is hereby ORDERED to serve the Petition For Writ of Certiorari and Proposed Writ of Certiorari on the Respondent pursuant to Rule 4(j) of the Rules of Civil Procedure.

Additional requirements, if any, are: _____

Date: 12/18/2024

Signature: _____

Lynne Watts

Asst. Clerk

ANTHONY S. MINA	:	DARE COUNTY SUPERIOR COURT
Petitioner	:	FILED
V.	:	DATE: December 18, 2024
SOUTHERN SHORES/WES HASKETT	:	TIME: 2:12:55 PM
Respondent	:	DARE COUNTY
	:	CLERK OF SUPERIOR COURT
	:	BY: L. Watts
	:	: Southern Shores No. VA-24-01

PETITION FOR WRIT OF CERTIORARI
WITH PROOF OF FALSE PRETENSE, FALSE SWORN TESTIMONY AND A FALSE REPORT TO LAW
ENFORCEMENT COMMITTED BY WES HASKETT

Petitioner, Anthony S Mina hereby petitions to the Honorable Dare County Superior Court to reverse the decision of the Planning Board/Board of Adjustments pursuant to Article 14 160A-393(L) and order injunctive relief/legal sanctions, including a request for criminal prosecution of Wes Haskett to the District Attorney's Office for violating false pretense, false reports to law enforcement and false sworn testimony laws. In support thereof, Petitioner avers the following:

FACTS

1. Petitioner is Anthony S. Mina, owner of 75 E. Dogwood Trail, Southern Shores, NC 27949
2. Respondent is Wes Haskett, Deputy Town Manager of Southern Shores 5375 N. Virginia Dare Trail, Southern Shores, NC 27949
3. Southern Shores Board of Adjustments/Planning Board signed an Order on November 19, 2024 Denying Petitioner's Application For Variance and Petitioner's Motion To Preclude Variance Hearing. A true and correct copy of the November 19, 2024 Order is attached hereto and marked "Exhibit A".
4. The Order dated November 19, 2024 ("Exhibit A") was written by Wes Haskett and his attorney, Lauren Womble and not written by the Planning Board/Board of Adjustments.
5. Paragraph 12 of the Order dated November 19, 2024 ("Exhibit A") states "There has been no competent evidence present to support Applicant's motion to preclude. There is no evidence of fraud, criminal conspiracy or misconduct by Town Staff."
6. Town Code Section 36-414(b) requires posted notice at the subject property(s) of zoning amendments announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning (prior to the zoning amendment's adoption).
7. Town Code Section 36-362(b) provides: *Not/ces*. Notice of hearings conducted pursuant to this article (Article XII-governing Planning Board/Board of Adjustment hearings) shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; (ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and (iv) to any other persons entitled to receive notice as provided by this chapter. In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed