

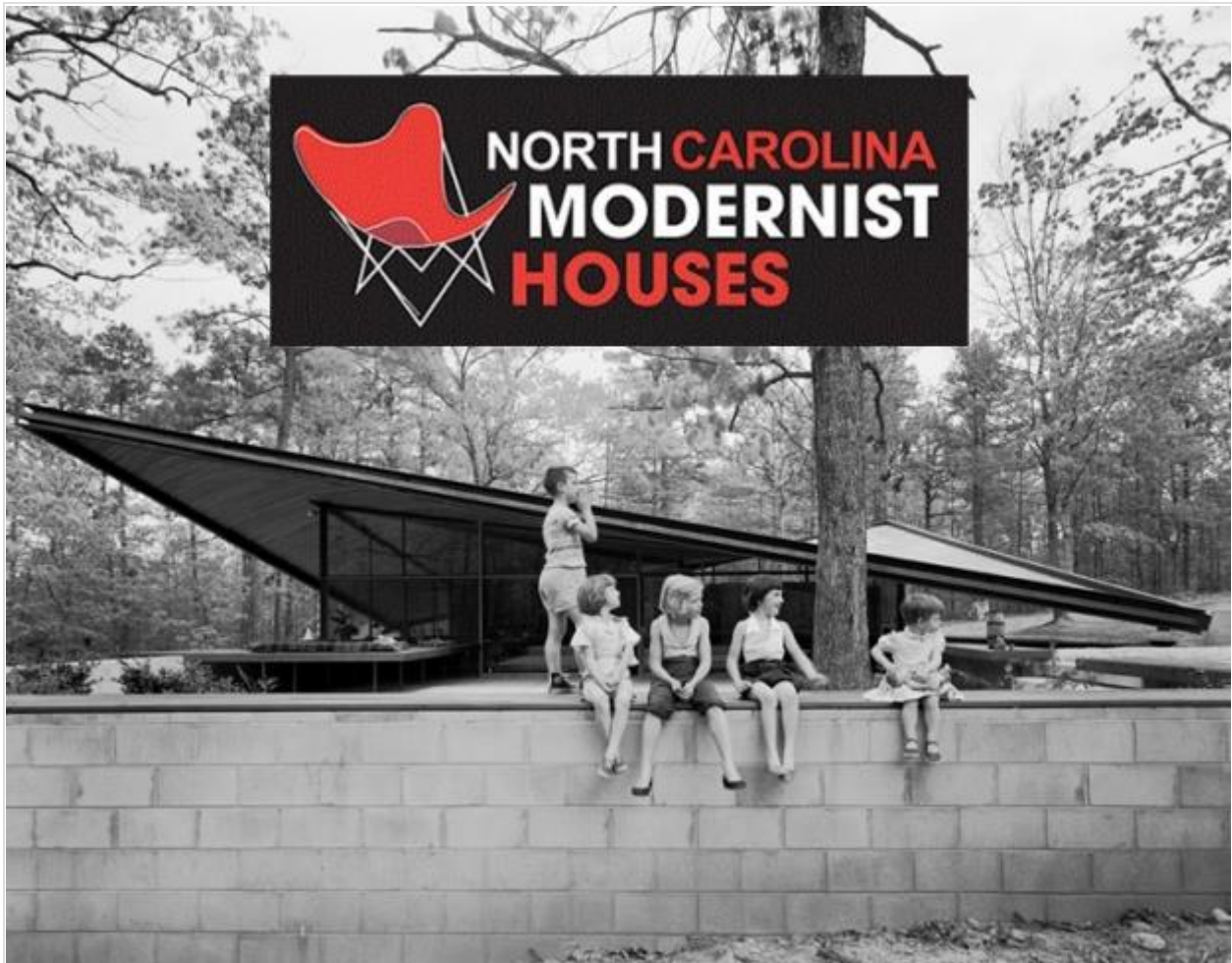
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Thursday, September 11, 2014

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EXPECTED VICTORY FOR
CHERRY/GORDON
and DUE PROCESS!



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Law and Order, Special Architecture Unit: There is a verdict in the controversial case between David and Gail Wiesner and the Raleigh Board of Adjustment (BOA) vs. the City of Raleigh and homeowners Louis Cherry and Marsha Gordon.

According to [WRAL](#) and the [News and Observer](#), Judge Elaine Bushfan will rule decisively in **favor of Raleigh and Cherry/Gordon.**

Bushfan's upcoming ruling will invalidate the Wiesner's long-dubious claim of what's called "legal standing" (which means they were inappropriate in taking legal action in this case).

Judge Bushfan will also rule the BOA was wrong in its standard of review of the Raleigh Historic Development Commission (RHDC)'s process. This means in theory that Cherry/Gordon can get back to completing their house, in mothballs for months while the building permit was revoked and the case went to court.

This information, according to architect and homeowner Louis Cherry, was shared by Judge Bushfan with all attorneys on the case on Wednesday.

The ruling will be a huge and well-deserved redemption for the RHDC which has done a great job for Oakwood and for Raleigh for decades. The ruling proves that RHDC did exactly what it was supposed to do in the way it was supposed to do it. Kudos to their Board and staff for enduring this frivolous case for nearly a year.

And a big thanks to attorneys Nick Fountain and Raleigh's Dottie Leapley who represented Cherry/Gordon and the City.

Is this long neighbor-on-neighbor nightmare over? No. Although the Wiesner's will be ruled not to have any legal standing, Gail Wiesner told the INDY this morning she intends to go to the NC Court of Appeals, costing Cherry/Gordon and the taxpayers of Raleigh even more money. Share your feelings about her intended appeal on our Facebook page.

See the timeline and the articles at the bottom of the page here.



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