

NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
26CV026792-910

SCOTT LASSITER,

Plaintiff,

VS.

WAKE COUNTY BOARD OF EDUCATION,

Defendant.

**NOTICE OF REMOVAL
TO FEDERAL COURT**

PLEASE TAKE NOTICE that Defendant, Wake County Board of Education has removed this action to the United States District Court for the Eastern District of North Carolina by filing with the Clerk of Federal Court the attached Notice of Removal.

Defendant hereby files the attached copy of its Notice of Removal, without exhibits, with the Clerk of this Court in accordance with 28 U.S.C. § 1446(d).

Respectfully submitted, this the 20th day of August 2026.

THARRINGTON SMITH, LLP

/s/ Colin Shive

Colin A. Shive

N.C. Bar No. 43202

150 Fayetteville Street, Suite 1900

P.O. Box 1151

Raleigh, NC 27602

Phone: (919) 821-4711

cshive@tharringtonsmith.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this day the foregoing NOTICE OF REMOVAL TO FEDERAL COURT was duly served in accordance with the provisions of Rule 5 of the North Carolina Rules of Civil Procedure.

William Woodward Webb, Esq.
Edmisten & Webb Law
118 St. Mary's Street
2nd Floor
Raleigh, NC 27605
woodywebb@ew-law.com
Phone: (919) 831-8700

Attorney for Plaintiff

This the 20th day of August 2026.

THARRINGTON SMITH, LLP

/s/ Colin Shive
Colin A. Shive
N.C. State Bar No. 43202
Counsel for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

SCOTT LASSITER,

Plaintiff,

v.

WAKE COUNTY BOARD OF EDUCATION,

Defendant.

NOTICE OF REMOVAL

Defendant Wake County Board of Education (“Board”) hereby gives notice that it is removing this action to the United States District Court for the Eastern District of North Carolina, and as grounds therefore state as follows:

1. Plaintiff filed this action in Wake County Superior Court captioned as *Scott Lassiter v. Wake County Board of Education*, Case No. 26CV026792-910 on or about July 17, 2026. (hereinafter the “Civil Action”).

2. Defendant was served with the Complaint and Civil Summons on July 22, 2026. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 5.3, the Complaint, Civil Summons, and all other process, pleadings, and orders served upon defendants in this action are attached hereto as exhibits.

3. This action arises under federal law in that plaintiff is seeking, *inter alia*, legal and/or equitable relief pursuant to the First Amendment of the United States Constitution and 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over these claims, making this action removable under 28 U.S.C. § 1441(a).

4. The Board is entitled to remove this entire action pursuant to 28 U.S.C. § 1441.

5. The state law claims contained in the Complaint are removed pursuant to the doctrine of supplemental jurisdiction as provided by 28 U.S.C. § 1367(a).

6. The Notice of Removal is timely filed under 28 U.S.C. § 1446(b) in that it is filed within 30 days of Defendant's receipt of the initial pleading purporting to set forth the claim for relief on which this action is based.

7. Pursuant to Local Civil Rule 5.3, a federal civil cover sheet and the Supplemental Removal Cover Sheet are attached as Exhibits 2 and 3.

WHEREFORE, the Board hereby removes the Civil Action from the Superior Court of North Carolina for the County of Wake to this Court.

Respectfully submitted, this the 19th day of August 2026.

THARRINGTON SMITH, L.L.P.

/s/ Colin A. Shive

Colin A. Shive

N.C. State Bar No. 43202

150 Fayetteville Street, Suite 1900 (27601)

Post Office Box 1151

Raleigh, North Carolina 27602-1151

Telephone: (919) 821-4711

Fax: (919) 829-1583

E-mail: cshive@tharringtonsmith.com

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of August 2026 I electronically filed the foregoing DEFENDANT WAKE COUNTY BOARD OF EDUCATION'S NOTICE OF REMOVAL with the Clerk of the Court using CM/ECF and served this day via email and United States mail, postage prepaid addressed to the following:

William Woodward Webb, Esq.
Edmisten & Webb Law
118 St. Mary's Street
2nd Floor
Raleigh, NC 27605
woodywebb@ew-law.com
Phone: (919) 831-8700

THARRINGTON SMITH, L.L.P.

/s/ Colin Shive
Colin A. Shive
N.C. State Bar No. 43202