

North Carolina Court of Appeals

Docket Sheet

State v McDonald

Case Number: P13-1015

As of: 03/28/2024

Case Closed: Yes

Close Date:

Case Type: Criminal (Crim_othr)

Mediation: No

STATE OF NORTH CAROLINA

V.

DERRICK LEE MCDONALD

Docket Date: **File Date:** **File Time:** **Acquired Date:** 12-23-2013

Bond Collected: No

Docket Fee: No

Pauper: No

Print Deposit: No

State Appeals: No

History

Venue: Mecklenburg (26) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Mecklenburg (26)

Judge:

Case #: 10CRS211197-99

Tracking/Argue

Opinion

Documents

| Document | Date Recvd | Cert of Service | Rec/Brf Due | Resp. Due | Resp. Recvd | Mailed Out | Ruling | Ruling Date |
|----------------|------------|-----------------|-------------|------------|-------------|------------|---------------|-------------|
| (1) PWC | 12-23-2013 | 12-19-2013 | | 01-03-2014 | 12-31-2013 | | Special Order | 01-07-2014 |
| (2) M-GEN | 04-23-2014 | 01-19-2014 | | | | | Allowed | 04-23-2014 |
| (3) M-EXTTRANS | 05-21-2014 | 05-21-2014 | | | | | Allowed | 05-22-2014 |

1 - PWC (Special Order) - 01-07-2014
 Filed: 12-23-2013 @ 08:03:11
 FOR: Defendant-Appellant McDonald, Derrick Lee
 BY : Mr. Jon H. Hunt
 N.C. APPELLATE DEFENDERS OFFICE

The following order was entered:

The petition for writ of certiorari filed in this cause by defendant on 23 December 2013 is allowed for the purpose of reviewing the judgment entered 13 July 2011 by Judge Hugh B. Lewis, limited to those issues for which defendant has an appeal of right pursuant to N.C. Gen. Stat. 15A-1444. The Superior Court, Mecklenburg County, shall hold a hearing to determine whether defendant is entitled: (1) to the appointment of counsel; (2) to proceed as an indigent; (3) to a copy of the transcript at the expense of the State; and (4) to be released on bond pending appeal. The appeal shall be deemed taken as of the date of the superior court's determination of whether defendant is entitled to appointment of counsel. The record on appeal shall thereafter be settled in accordance with N.C.R. App. P. 11 and shall be filed in this Court in accordance with N.C.R. App. P. 12.

A copy of this order shall be mailed to: (1) the Senior Resident Superior Court Judge of the 26th Judicial District; (2) the District Attorney of the 26th Judicial District; and (3) Staples S. Hughes, Appellate Defender.

By order of the Court this the 7th of January 2014.

The above order is therefore certified to the Clerk of the Superior Court, Mecklenburg County.

RESPONSE TO PWC
 Filed: 12-31-2013
 BY : Ms. Teresa M. Postell
 N.C. DEPARTMENT OF JUSTICE

2 - MOTION MOTION FOR EXTENSION OF TIME TO PREPARE TRANSCRIPT (Allowed) - 04-23-2014
 Filed: 04-23-2014 @ 08:06:57
 FOR: Defendant-Appellant McDonald, Derrick Lee
 BY : Mr. Jon H. Hunt
 N.C. APPELLATE DEFENDERS OFFICE

The following order was entered:

The motion filed in this cause on the 23rd of April 2014 and designated 'Motion for Extension of Time to Prepare Transcript' is allowed. Transcript shall be produced and delivered on or before 21 May 2014.

By order of the Court this the 23rd of April 2014.

3 - M-EXTTRANS (Allowed) - 05-22-2014
 Filed: 05-21-2014 @ 14:12:44
 FOR: Defendant-Appellant McDonald, Derrick Lee
 BY : Mr. Jon H. Hunt
 N.C. APPELLATE DEFENDERS OFFICE

The following order was entered:

The motion filed in this cause on the 21st of May 2014 and designated 'Motion for Extension of Time to Prepare Transcript' is allowed. Transcript shall be produced and delivered on or before 20 June 2014.

By order of the Court this the 22nd of May 2014.

Financial Information

Receipts

| Date Charged | Charge Type | Amount Charged | Amount Paid | Document | Pages | Receipt # | Date Paid |
|--------------|-----------------|----------------|-------------|----------|-------|-----------|-----------|
| | Pre Docket Fees | 10.00 | 0.00 | | | | |

Exhibits

Parties

| Party Name | Role |
|-------------------------|---------------------|
| State of North Carolina | Plaintiff-Appellee |
| McDonald, Derrick Lee | Defendant-Appellant |

Attorneys

Attorney for Defendant-Appellant - McDonald, Derrick Lee

Mr. Jon H. Hunt [Primary Attorney]
Assistant Appellate Defender
jonathan.h.hunt@nccourts.org
N.C. APPELLATE DEFENDERS OFFICE
123 West Main Street
Suite 500
Durham, NC 27701
(919) 354-7210

Attorney for -

Mr. Staples Hughes [Primary Attorney]
staples.s.hughes@nccourts.org
N.C. APPELLATE DEFENDERS OFFICE
123 West Main Street
Suite 500
Durham, NC 27701
(919) 354-7210

Attorney for - State of North Carolina

Mr. Robert C. Montgomery [Primary Attorney]
Special Deputy Attorney General
rmontgomery@ncdoj.gov
N.C. DEPARTMENT OF JUSTICE
P.O. Box 629
Raleigh, NC 27602
(919) 716-6500

Attorney for -

Ms. Teresa M. Postell [Primary Attorney]
Special Deputy Attorney General
tpostell@ncdoj.gov
N.C. DEPARTMENT OF JUSTICE
P.O. Box 629
Raleigh, NC 27602
(919) 810-4723

Attorney for -

Ms. Sheena W Gatehouse [Primary Attorney]

Assistant District Attorney

720 E 4th Street

Suite 403

Charlotte, NC 28202

Attorney for -

Mr. Peter S. Gilchrist, III [Primary Attorney]

District Attorney

OFFICE OF THE DISTRICT ATTORNEY

700 East Trade Street 2nd Fl.

Charlotte, NC 28202

Attorney for -

Hon. Richard D. Boner [Primary Attorney]

Sen. Resident Superior Court Judge

Judicial District 26

832 E. Fourth Street

Suite 9600

Charlotte, NC 28202
