

North Carolina Court of Appeals

Docket Sheet

Wilkerson v. Cooper, et al

Case Number: P14-712

As of: 04/20/2024

Case Closed: Yes

Close Date:

Case Type: Criminal (Crim_othr)

Mediation: No

WAYNE ELLIOTT WILKERSON

PETITIONER

V.

ROY COOPER, ATTORNEY GENERAL, ET AL

RESPONDENTS

Docket Date: **File Date:** **File Time:** **Acquired Date:** 09-16-2014

Bond Collected: No **Docket Fee:** No **Pauper:** No **Print Deposit:** No **State Appeals:** No

History

Venue: Durham (16) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Durham (16)

Judge:

Case #: 11 61191 CRS

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) PHC	09-16-2014	09-05-2014			10-03-2014		Special Order	09-19-2014
(2) COURT ORDER	10-07-2014	10-07-2014					Special Order	10-07-2014
(3) PHC	04-13-2015	04-03-2015			04-20-2015		Special Order	04-14-2015
(4) PHC	04-23-2015	04-13-2015					Denied	04-23-2015
(5) PHC	04-28-2015	04-23-2015					Denied	04-29-2015
(6) PHC	07-17-2015	07-11-2015			08-13-2015		Special Order	07-20-2015
(7) PHC	08-18-2015	07-17-2015					Denied	08-14-2015

1 - PHC (Special Order) - 09-19-2014
Filed: 09-16-2014 @ 08:46:58
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause by Wayne E. Wilkerson on 16 September 2014 and designated 'Petition for a Writ of Habeas Corpus' is decided as follows: It appearing that there is possible merit to defendant's argument challenging the sufficiency of the indictment for taking indecent liberties with a child, the State is hereby directed to file a response to the petition by 29 September 2014. A copy of this order shall be served on the criminal appellate section of the attorney general's office.

By order of the Court this the 19th of September 2014.

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

RESPONSE TO PHC
Filed: 10-03-2014
BY : Mr. Daniel P. O'Brien
N.C. DEPARTMENT OF JUSTICE

2 - CT_ORDER COURT ORDER (Special Order) - 10-07-2014
Filed: 10-07-2014 @ 15:17:04
FOR:
BY : Hon. Linda M. McGee

The following Order was entered:

The petition filed in this cause by Wayne E. Wilkerson on 16 September 2014 and designated 'Petition for a Writ of Habeas Corpus' is decided as follows: The judgment entered on 18 May 2012 by Judge Donald W. Stephens in Durham County Superior Court upon defendant's conviction of taking indecent liberties with a child is vacated for the reason that the indictment was defective for failing to allege an essential element of the offense. Defendant shall be released from custody, unless there is some other basis on which he is being confined.

A copy of this order shall be sent to the senior resident superior court judge and district attorney of the 14th judicial district.

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

3 - PHC (Special Order) - 04-14-2015
Filed: 04-13-2015 @ 09:33:59
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause by defendant Wayne Elliott Wilkerson on 13 April 2015 and designated 'Writ of Habeas Corpus Pursuant to N.C.G.S. 7.1' is decided as follows: The State is hereby directed to file a response to the petition by 23 April 2015. A copy of this order shall be served on the criminal appellate section of the attorney general's office.

By order of the Court this the 14th of April 2015.

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

RESPONSE TO PHC
Filed: 04-20-2015
BY : Mr. Daniel P. O'Brien
N.C. DEPARTMENT OF JUSTICE

4 - PHC (Denied) - 04-23-2015
Filed: 04-23-2015 @ 14:31:10
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause on the 23rd of April 2015 and designated 'Writ of Habeas Corpus Pursuant to N.C.G.S. 7.1' is denied.

By order of the Court this the 23rd of April 2015.

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

5 - PHC (Denied) - 04-29-2015
Filed: 04-28-2015 @ 08:41:33
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause on the 28th of April 2015 and designated 'Writ of Habeas Corpus Pursuant to N.C.G.S. 7.1' is denied.

By order of the Court this the 29th of April 2015.

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

6 - PHC (Special Order) - 07-20-2015
Filed: 07-17-2015 @ 08:11:06
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause by petitioner Wayne Elliott Wilkerson on 17 July 2015 and designated 'Writ of Habeas Corpus Pursuant to N.C.G.S. 7.1 et. seq' is decided as follows: The State is hereby directed to file a response to the petition by 27 July 2015. A copy of this order shall be served on the criminal appellate section of the attorney general's office.

By order of the Court this the 20th of July 2015.

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

RESPONSE TO PHC
Filed: 08-13-2015
BY : Mr. Daniel P. O'Brien
N.C. DEPARTMENT OF JUSTICE

7 - PHC (Denied) - 08-14-2015
Filed: 08-18-2015 @ 08:20:28
FOR: Petitioner-Appellant Wilkerson, Wayne E.
BY : Mr. Wayne E. Wilkerson

The following order was entered:

The petition filed in this cause on the 18th of August 2015 and designated 'Writ of Habeas Corpus Pursuant to N.C.G. S. 7.1 et.seq' is denied.

By order of the Court this the 14th of August 2015.

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

Financial Information

Receipts

Date Charged	Charge Type	Amount Chaged	Amount Paid	Document	Pages	Receipt #	Date Paid
	Pre Docket Fees	10.00	0.00				
07-31-2019	Copies	4.00	4.00			R072041419	07-31-2019

Exhibits

Parties

Party Name	Role
Wilkerson, Wayne E.	Petitioner-Appellant
Cooper, Roy (AG)	Respondent-Appellee

Attorneys

Attorney for Petitioner-Appellant - Wilkerson, Wayne E.

Mr. Wayne E. Wilkerson [Primary Attorney]

Pro Se

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Attorney for -

Hon. Orlando F. Hudson, Jr. [Primary Attorney]

Senior Res. Superior Court Judge

DURHAM COUNTY JUDICIAL BLDG.

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