

North Carolina Court of Appeals

Docket Sheet

Montehermoso v. State

Case Number: P14-723

As of: 04/26/2024

Case Closed: Yes

Close Date:

Case Type: Criminal (Crim_othr)

Mediation: No

HAIBER V. MONTEHERMOSO
PETITIONER

VS.

STATE OF NORTH CAROLINA
RESPONDENT

Docket Date:		File Date:		File Time:		Acquired Date:	09-17-2014
Bond Collected:	No	Docket Fee:	No	Pauper:	No	Print Deposit:	No
						State Appeals:	No

History

Venue: Gaston (38) **Heard In:** Superior Court

To SC: **From SC:**

Lower Court Number(s)

Location: Gaston (38)

Judge:

Case #: 02CRS54748-51 02CRS54754-55 02CRS54757 02CRS54764

Tracking/Argue

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) WR-MAN	09-17-2014	09-12-2014		09-30-2014	09-19-2014		Special Order	09-23-2014
(2) M-GEN	10-06-2014	09-30-2014					Denied	10-07-2014
(3) PWC	10-06-2014	10-06-2014		10-21-2014	10-13-2014		Dismissed	10-14-2014
(4) M-GEN	11-03-2014	10-20-2014		11-17-2014			Denied	11-20-2014
(5) M-GEN	12-01-2014	12-01-2014		12-15-2014			Denied	12-18-2014
(6) M-GEN	01-12-2015	12-29-2014					Denied	01-14-2015

1 - WR-MAN (Special Order) - 09-23-2014
Filed: 09-17-2014 @ 10:37:46
FOR: Petitioner-Appellant Montehermoso, Haiber
BY : Mr. Haiber Montehermoso

The following order was entered:

The petition filed in this cause by Haiber V. Montehermoso on 12 September 2014 and designated 'Application for Peremptory Writ of Mandamus Under N.C.G.S. 7A-32(c)' is dismissed without prejudice to the right of the petitioner to refile the petition with this Court if petitioner's 'Motion to New Restructure Sentence' is not ruled upon by the superior court within sixty days of the date of this order.

A copy of this order shall be mailed to the senior resident superior court judge and district attorney for judicial district 27A.

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

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

RESPONSE TO WR-MAN
Filed: 09-19-2014
BY : Mr. Joseph L. Hyde
N.C. DEPARTMENT OF JUSTICE

2 - MOTION MOTION TO OBTAIN A EVIDENTIARY HEARING UNDER N.C.G.S. 15A-1340.10 ART. 81B. (Denied) - 10-07-2014
Filed: 10-06-2014 @ 08:23:35
FOR: Petitioner-Appellant Montehermoso, Haiber
BY : Mr. Haiber Montehermoso

The following order was entered:

The motion filed in this cause on the 6th of October 2014 and designated 'Motion to Obtain a Evidentiary Hearing Under N.C.G.S. 15A-1340.10 ART. 81B.' is denied.

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

3 - PWC (Dismissed) - 10-14-2014
Filed: 10-06-2014 @ 10:27:00
FOR: Petitioner-Appellant Montehermoso, Haiber
BY : Mr. Haiber Montehermoso

The following order was entered:

The document filed in this cause on the 6th of October 2014 and designated 'Notice of Appeal' is dismissed.

By order of the Court this the 14th of October 2014.

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

RESPONSE TO PWC
Filed: 10-13-2014
BY : Mr. Joseph L. Hyde
N.C. DEPARTMENT OF JUSTICE

4 - MOTION MOTION TO APPEAL REVIEW REMANDING FOR NEW HEARING UNDER N.C.G.S. 15A-1340.13 ARTICLE 81B (Denied) - 11-20-2014
Filed: 11-03-2014 @ 08:10:08
FOR: Petitioner-Appellant Montehermoso, Haiber
BY : Mr. Haiber Montehermoso

The following order was entered:

The motion filed in this cause on the 3rd of November 2014 and designated 'Motion to Appeal Review Remanding for New Hearing Under N.C.G.S. 15A-1340.13 Article 81B' is denied.

By order of the Court this the 20th of November 2014.

5 - MOTION MOTION FOR DEFAULT JUDGMENT (Denied) - 12-18-2014

Filed: 12-01-2014 @ 09:16:05

FOR: Petitioner-Appellant Montehermoso, Haiber

BY : Mr. Haiber Montehermoso

The following order was entered:

The motion filed in this cause on the 1st of December 2014 and designated 'Motion for Default Judgment' is denied.

By order of the Court this the 18th of December 2014.

6 - MOTION MOTION TO REVIEW IN ORDER (Denied) - 01-14-2015

Filed: 01-12-2015 @ 08:05:56

FOR: Petitioner-Appellant Montehermoso, Haiber

BY : Mr. Haiber Montehermoso

The following order was entered:

The motion filed in this cause on the 12th of January 2015 and designated 'Motion to Review in Order' is denied.

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

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
Montehermoso, Haiber	Petitioner-Appellant
State of North Carolina	Respondent-Appellee

Attorneys

Attorney for Petitioner-Appellant - Montehermoso, Haiber

Mr. Haiber Montehermoso [Primary Attorney]

Pro Se

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Attorney for -

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Attorney for -

Mr. R. Locke Bell [Primary Attorney]

Attorney at Law

Hon. Jesse B. Caldwell, III [Primary Attorney]

Emergency Judge

GASTON COUNTY DISTRICT ATTORNEY

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