

# North Carolina Court of Appeals

## Docket Sheet

### State v Whisenant

**Case Number:** P15-126

**As of:** 04/17/2024

**Case Closed:** Yes

**Close Date:**

**Case Type:** Criminal (Crim\_othr)

**Mediation:** No

STATE OF NORTH CAROLINA

VS.

CLYDE GARY WHISENANT

**Docket Date:**

**File Date:**

**File Time:**

**Acquired Date:** 02-12-2015

**Bond Collected:** No

**Docket Fee:** No

**Pauper:** Yes

**Print Deposit:** No

**State Appeals:** No

#### History

**Venue:** Catawba (19)

**Heard In:** Superior Court

**To SC:**

**From SC:**

#### Lower Court Number(s)

**Location:** Catawba (19)

**Judge:**

**Case #:** 09CRS56222

#### Tracking/Argue

#### Opinion

#### Documents

**Document**

**Date Recvd**

**Cert of Service**

**Rec/Brf Due**

**Resp. Due**

**Resp. Recvd**

**Mailed Out**

**Ruling**

**Ruling Date**

(1) PWC

02-12-2015

02-10-2015

02-25-2015

02-23-2015

Special Order

02-26-2015

1 - PWC (Special Order) - 02-26-2015  
 Filed: 02-12-2015 @ 10:57:30  
 FOR: Defendant-Appellant Whisenant, Clyde Gary  
 BY : Ms. Katherine Jane Allen  
 N.C. APPELLATE DEFENDERS OFFICE

The following order was entered:

The 'Petition for Writ of Certiorari' filed by defendant on 12 February 2015 is allowed for the purpose of reviewing the order entered by Judge Nathaniel J. Poovey on 28 October 2014 denying defendant's motion for appropriate relief. The superior court shall hold a hearing to determine whether defendant is entitled to appointment of counsel and to proceed as an indigent. The appeal shall be deemed taken on the date of the court's determination of whether defendant is entitled to appointed counsel. The record on appeal shall thereafter be settled and filed in accordance with the Rules of Appellate Procedure.

A copy of this order shall be mailed to the senior resident superior court judge and district attorney of Judicial District 25B, and to Appellate Defender Staples Hughes.

By order of the Court this the 26th of February 2015.

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

RESPONSE TO PWC  
 Filed: 02-23-2015  
 BY : Mr. Joseph L. Hyde  
 N.C. DEPARTMENT OF JUSTICE

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-18-2015	Pre Docket Fees	10.00	0.00				

#### Exhibits

#### Parties

Party Name	Role
State of North Carolina	Plaintiff-Appellee
Whisenant, Clyde Gary	Defendant-Appellant

#### Attorneys

##### Attorney for Defendant-Appellant - Whisenant, Clyde Gary

Ms. Katherine Jane Allen [Primary Attorney]

Assistant Appellate Defender

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N.C. APPELLATE DEFENDERS OFFICE

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**Attorney for -**

Mr. Staples Hughes [Primary Attorney]  
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Suite 500  
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**Attorney for - State of North Carolina**

Mr. Daniel P. O'Brian [Primary Attorney]  
Special Deputy Attorney General  
N.C. DEPARTMENT OF JUSTICE  
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**Attorney for -**

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Special Deputy Attorney General  
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**Attorney for -**

Hon. Timothy S. Kincaid [Primary Attorney]  
Senior Resident Judge  
25TH JUDICIAL DISTRICT  
Catawba County Office  
of the District Attorney  
Post Office 72  
Newton, NC 28658

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**Attorney for -**

Mr. James C. (Jay) Gaither, Jr. [Primary Attorney]  
District Attorney  
JUSTICE CENTER  
Office of the District Attorne  
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