## SUPREME COURT OF NORTH CAROLINA

## PETITIONS

## Decided by the Court in Conference: 2 March 2000

{Posted on the Internet Web Site: 3 March 2000}

COMMON ABBREVIATIONS			
Abbreviation	Full Term		
PWC	Petition for Writ of Certiorari		
MAR	Motion for Appropriate Relief		
COA	North Carolina Court of Appeals		
MTS	Motion for Temporary Stay		
Def	Defendant		
NOA	Notice of Appeal		
Plt	Plaintiff		
PDR	Petition for Discretionary Review		
Cert	Certiorari		
AG	Attorney General		

2A98	State v. Michael Braxton	Def's Motion to Supplement the Record on Appeal	See Special Order
3P00	State v. John Boyd	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss</li> </ol>	1 2. Denied 3. Allowed
6P00	State v. Steven Snipes	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss</li> </ol>	1 2. Denied 3. Allowed
9P00	State v. Linda Mooney Smith	Def's PDR	Denied
12P00	State v. Raymond Roberts	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss Appeal</li> </ol>	1 2. Denied 3. Allowed
13P00	State v. Ernest Jerome Walker	Def's PDR	Denied
14P00	Crystal Gail Wolfe v. Wilmington Shipyard & William Murrell, Jr.	<ol> <li>Def's PDR</li> <li>Def's Motion to Withdraw PDR</li> </ol>	1 02/23/00 2. Allowed 02/23/00
15P00	Lori Carpenter & Joseph Mogridge v. Timothy Ryan	Plts' PWC	Denied
16P00	George Wrenn v. Maria Parham Hospital	<ol> <li>Plt's PDR</li> <li>Plt's PWC</li> <li>Def's Conditional PDR</li> </ol>	1. Denied 2. Denied 3. Denied

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21P00	State v. George Rhodes	Def's PWC	Denied
23P00	State v. Antonio Lamont Broome	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss</li> </ol>	1 2. Denied 3. Allowed
24P00	State v. James Bunch	Pro Se Def's PWC	Denied
25P00	State v. Robert Blakeney	<ol> <li>Def's PWC</li> <li>Def's Motion to Proceed in Forma Pauperis</li> </ol>	1. Denied 2. Allowed
28P00	State v. Freeman Carver	Def's Pro Se PWC	Denied
29P00	State v Keith Barts	Pro Se Def's handwritten motion for stenographic & verbatim transcripts at State's expense	Denied
32P00	State v. Lacie Melvin	Def's PDR	Denied
33P00	First Union Nat'l. Bank, Executor of Estate of F. Bernard Ingold v. Frances Ingold, et. al.	Defs' PDR	Denied
34P00	State v. Ronald McClary	Def's Pro Se PWC	Denied
35P00	Robert Rainey v. Vance County Sheriff's Dept., Thomas Breedlove, & Charles Hawley	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied
36P00	In The Matter of Application of Aaron Pretty v. Randall Lee, Supt. of Caledonia	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied 02/23/00
37P00	Joan Gore Milligan v. State of NC, NC Dept. of Revenue	<ol> <li>Plt's NOA</li> <li>Plt's PDR</li> <li>Defs' Motion to Dismiss Appeal</li> </ol>	1 2. Denied 3. Allowed
38P00	Wendell Flowers, R. L. Frazier v. Chief Justice, Henry Frye, NC D. of Correction, Franklin Freeman, James B. Hunt		Denied
39P00	Eddie Hatcher v. Superior Court of Robeson County	<ol> <li>Plt's Pro Se Motion for Temporary Stay</li> <li>Plt's Pro Se PWC</li> </ol>	<ol> <li>Denied</li> <li>Denied</li> </ol>
41P00	State v. William Carroll Dix	Def's Pet. for Writ of Mandamus	Denied
42P99 - 2	State v. N.C. Rate Bureau	Petitioner's Motion for Leave to File Reply to Commissioner of Insurance's Response in Opposition	Dismissed
42P99 - 2	State ex rel. Comm. of Ins. v. NC Rate Bureau	NC Rate Bureau's PWC	Denied
45P00	Bennie Arquilla & wife Julie Arquilla v. City of Salisbury	Def's PDR	Denied MARTIN, J. RECUSED

50P00	State v. Albert Lee Stevenson, Jr.	Def's PDR	Denied
51P00	State v. Terry Eugene Woods	<ol> <li>AG's Motion for Temporary Stay</li> <li>AG's Pet. for Writ of Supersedeas</li> <li>AG's PDR</li> </ol>	1. Denied 02/03/00 2. Denied 3. Denied
56P00	State v. Bailey	<ol> <li>Joint PDR prior to determination by COA</li> <li>Joint Motion to Expedite Briefing Schedule and Oral Argument Date</li> </ol>	See Special Order MARTIN, J. RECUSED
67P00	State v. Derrick Glover	Petition for Writ of Habeas Corpus	See 02/21/00 Special Order Dismissed 02/22/00
84P00	Syndicate 270, et.al. v. Int'l Claims & Litigation Management Group	1. Def's Motion for Temp. Stay	1. Allowed 02/25/00
88P00	State v. Eric Lamont Perry	<ol> <li>Def's PWC</li> <li>Def's Pet. for writ of supersedeas</li> <li>Def's Motion for Temp. Stay</li> </ol>	1. Denied 2. Denied 3. Denied
91P00	State v. Frazier	Def's Pro Se Writ of Habeas Corpus	Denied
116A96 - 2	State v. Lesley Eugene Warren	<ol> <li>Def's PWC</li> <li>Def's Motion to Seal Attachment 3 of PWC</li> </ol>	1. Denied 2. Denied
146A94 - 2	State v. William Leroy Barnes	Def's PWC	Allowed for limited purpose of remanding to trial court for hearing of Def's motion & send copy of letter to trial court
183A95 - 2	State v. Leverne Burrus	<ol> <li>Def's Motion for Disclosure of Evidence in Capital Trial's Writ of Discretionary Review</li> <li>Def's Motion for Digital Proclaimant</li> <li>Def's Motion to Strike &amp; Quash all legal Proceedings as Result of Incomplete &amp; Inaccurate Transcript</li> </ol>	<ol> <li>Denied</li> <li>Denied</li> <li>Denied</li> </ol>

299A93 - 2	State v. James Adolph Campbell	Def's PWC	Denied
323A92 - 2	State v. Charles Alonzo Tunstall	Def's PWC	Denied
376PA99*	Pamela Brisson & Dallas Brisson v Kathy Santoriello	Plts' Motion to Modify Record on Appeal	Denied 02/11/00
439A99*	Judith Hartwell v. Cty. of Davidson, Lexington Mem. Hospital & Robert Mahan, M.D.	<ol> <li>DefAppellee's (Mahan) Motion to Dismiss</li> <li>DefAppellee's (Mahan) Motion to Strike Portions of Plt's New Brief</li> <li>DefAppellee's Motion to Extend Time</li> </ol>	<ol> <li>Denied</li> <li>Allowed</li> <li>Allowed 2 wk. extension 11/08/99</li> </ol>
441A98*	State v Kevin Golphin State v Tilmon Golphin	Defs' Motion for Extended Oral Argument	Denied 02/09/00
473P99	Sharon Toler, Employee v. Black & Decker, Employer	Def's PDR	Denied 02/21/00
477P99 - 2	State v. Terry Green	<ol> <li>Def's Motion for Order of Arrest</li> <li>Def's Motion for Copies at State's Expense</li> </ol>	<ol> <li>Denied</li> <li>Dismissed</li> </ol>
484P99 - 2	State v. Michael Ray Williams	Def's Pro Se Motion for Evidentiary Hearing	Denied
491P99	Whaley v Georgia- Pacific	Def's Motion to withdraw PDR	Allowed
497A93 - 3	State v. Levon Jurnior Jones	Def's PWC	Denied
507P99	Rozanne Calderwood v Charlotte- Mecklenburg Hospital Authority & Trigon Administrators	Defs' PDR	Denied
513P99	In Re: The Foreclosure of Deed of Trust of Jamie Espinosa & Cheri Espinosa v. Hayes Martin, Trustee & Robert Tucker, Subst. Trustee	<ol> <li>Pet's (Blue Ridge Savings Bank) PDR</li> <li>Pet's (Blue Ridge Savings Bank) PWC</li> </ol>	
534P99	State v. Theondray Ozell Welch	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss</li> </ol>	1 2. Denied 3. Allowed
540P98	Rush v. Employers Ins. of Wausau	<ol> <li>Plt's PDR</li> <li>Plt's (Alternative) PWC</li> <li>Plt's Motion to Amend</li> <li>PDR, or in the Alternative</li> <li>PWC</li> </ol>	<ol> <li>Denied</li> <li>Denied</li> <li>Allowed</li> <li>04/08/99</li> </ol>
543P99	Joe Cameron Napier v. Dottie Southern Napier	Plt's PDR	Denied
548P99	Christopher Todd Moore v. City of Raleigh	Plt's PDR	Denied

550P99	State v. Christopher David Stewart	Def's PWC	Allowed MARTIN, J. RECUSED
558P99	Suzanne Blackburn v. State Farm Mutual Automobile Ins. Co.	Def's PDR Prior to Determination by the COA	Denied
567A99	State v. Timothy Blackwell	<ol> <li>Def's Motion to Dismiss Appeal</li> <li>Def's Motion to Strike Portions of the State's Brief</li> </ol>	1. Denied 2. Denied
568A99	Paul Burge v. Sprint Communications	Intervenor's Pro Se Motion to Recuse Justice Mark Martin	Dismissed as moot MARTIN, J. RECUSED
568A99	Albert Coombs & Paul Burge v. Sprint Communications	Plt's Pet. for Rehearing	Dismissed MARTIN, J. RECUSED
568A99	Albert Coombs, Paul Burge v. Sprint Communications Co. & AT&T	Plt's Motion (Notice and Demand) for Nihil Dicit Judgment	Denied MARTIN, J. RECUSED
570P99	State v. Willie Lee Atkinson	Def's PDR	Denied
573P99	H. Wallace Francis v Beach Medical Care	Plt's PWC	Denied
574P99	In the Matter of David Rogers, Bobby Ray Rogers, Jason Wayne Hodge & Crystal Dawn Hodge, Minors	Respondent's's (Daniel Lee Hodge) PDR	Denied
576P99	State v. Flor Perez, III	<ol> <li>Def's NOA</li> <li>Def's PDR</li> <li>AG's Motion to Dismiss Appeal</li> </ol>	1 2. Denied 3. Allowed
577P99	Earl Harkins & wife v Stanley Earl Harkins & Teresa Falk	Plts' PDR	Denied
579P99	State v. Lamont Claxton Underwood	Def's PWC	Allowed
580P99	Sherly Brannock v. Tommy Brannock	<ol> <li>Plt's PDR</li> <li>Def's Conditional PDR</li> </ol>	<ol> <li>Denied</li> <li>Dismissed as moot</li> </ol>
582P99	John Brent Frost & Carolyn Frost v. Mazda Motor of America & Primus Automotive Financial Services	<ol> <li>Def's PWC to Review Orders of NC-COA</li> <li>Def's PWC to Review the Order of Sup. Court</li> <li>Def's Motion for Temp. Stay</li> <li>Def's Pet. for Writ of Supersedeas</li> <li>Def's Motion for Leave to Reply to Plaintiff's Response to Pet. for Writ of</li> </ol>	<ol> <li>Allowed</li> <li>Allowed</li> <li>Allowed</li> <li>Allowed</li> <li>Allowed</li> <li>Denied</li> <li>Allowed</li> </ol>

		Supersedeas 6. Motion by Byrne & Tallaksen for Leave to Appear Pro hac Vice	
585P99	State v. James Horner	Def's PWC	Denied
586P99	State v. Stanley Lorenzo Williams	Def's Pro Se Pet. for Writ of Mandamus	Dismissed
591P99	State v. William Ross	Def's Pro Se PWC	Denied
593P99	State v Alfred Titus Shuler	Def's Pro Se PWC	Denied
594P99	State v. Sylvester Hooper	Def's Pro Se PWC	Denied
595P99		Def's Pro Se Motion for Appropriate Relief	Denied

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