

[Link to original WordPerfect file](#)

[How to access the above link?](#)

**SUPREME COURT OF NORTH CAROLINA
PETITIONS**

10 April 1997

3PA97*	Roberts v. First Citizens Bank & Trust Co.	Def's Motion to Withdraw PDR	The motion is treated as a motion to withdraw the appeal and is allowed. 3/24/97
4P97	The Treasurer of the State of Connecticut ex. rel. The Second Injury & Comp. Assurance Fund v. Howard	Def's PDR Under G.S. 7A-31	Denied
9P97	Shepard v. Faircloth	(1) Plt's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA (2) Plt's (Pro Se) PDR Under G.S. 7A-31 (3) Def's (Pro Se) Motion to Proceed <i>In Forma Pauperis</i>	(1) Denied (2) Denied (3) Denied
10P97	State v. Phillip	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied

14P97	Riggs v. Riggs	Plt's PDR Under G.S. 7A-31	Denied
33P97	Steele, et al. V. Lewis & Daggett, Attorneys at Law, P.A.	Plts' PDR Under G.S. 7A-31	Denied
41P97	State v. Baysden	Def's Pet. For Writ of Cert. To Review Decision of NC COA JUSTICE PARKER RECUSED	Denied
42P97	State v. Hudson	Def's Pet. for Writ of Cert. to Review Order of NC COA	Denied
43P97	State v. Turner	Def's (Pro Se) "Motion for Rehearing"	Dismissed
47P97*	State v. Joseph Marion Head, Jr.	Def's Pro Se Motion to Dismiss	Denied 3/17/97
47P97	State v. Joseph Marion Head Junior	Def's (Pro Se) Motion to Dismiss and for a New Trial	Denied
48P97	Guilford County Bd. Of Commissioners; Guilford County; et al. v. Trogdon, Guilford Co. Bd. Of Education; and Peerless Insurance Company	(1) Def's (Trogdon) PDR Under G.S. 7A-31 (2) Def's (Peerless Ins. Co.) PDR Under G.S. 7A-31	(1) (2) Denied (3) Denied (4) Allowed

		(3) Plt's Alternative PDR Under G.S. 7A-31 (4) Def's (Trogon) Motion to Withdraw PDR	
56P97	State v. Randy Lee., Hammitt	(1) Def's (Pro Se) Petition for Writ of Certiorari (2) Def's (Pro Se) Petition for Writ of Mandamus	(1) Denied (2) Denied
5A86-6	State v. Hunt	Def's Pet. For Writ of Cert. To Review Superior Court Order	Denied
59P97	State v. Nolon	Def's (Pro Se) PDR Under G.S. 7A-31	Denied
63P97	Bradley, Jr. v. Hall, Speckman, Dukeshire, US Packaging Inc., and Robeson Associates	(1) Plt's PDR Under G.S. 7A-31 (2) Defs' Alternative PDR Under G.S. 7A-31	(1) Denied (2) Denied
64A96	State v. Moody	Def's Petition for Rehearing or Reconsideration Under Rule 2	Dismissed 3/17/97

67P97	Warren v. Jackson, M.D. and Surry Surgical Associates, PA	(1) Plt's PDR Under G.S. 7A-31 (2) Defs' Alternative PDR Under G.S. 7A-31	(1) Denied (2) Denied
69P97	State v. Hill	Def's PDR Under G.S. 7A-31	Denied
71P97	Herring, et al. v. Hayes, et al.	Def's PDR	Denied
73P97	State v. Thomas	Def's (Pro Se) Pet. for Writ of Certiorari	Denied
74P97	State v. Cannon	Def's (Pro Se) Petition for Writ of Certiorari to Review Superior Court Order	Denied
80P97	State v. Gunter	Def's PDR Under G.S. 7A-31	Denied
83P97	City of Charlotte v. J. Ernest Cook, et al.	(1) Plt's PDR (2) NC DOT's Motion for Leave to File <i>Amicus Curiae</i> Brief if PDR is Accepted	(1) Allowed (2) Allowed
84P97	Stuart, Jr., et al. v. Cecil v. General Motors Corporation	(1) Def's (GMC) PDR (2) Plts' (Stuart, et al.) Motion to Dismiss PDR	(1) Denied (2) Denied

		JUSTICE WEBB RECUSED	
87P97	State v. Morgan	Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA	Denied
88P97	State v. Heath	Def's (Pro Se) Pet. for Writ of Cert. to Review Decision of NC COA	Denied
93P97	Gilliam v. First Union National Bank	Plaintiff- Appellant's PDR	Denied
95P97	State v. Hamilton	(1) Def's NOA Pursuant to G.S. 7A-30 (2) Def's PDR Pursuant to G.S. 7A-31	(1) Dismissed <i>ex mero motu</i> (2) Denied
97P97	State v. Latimer	Def's (Pro Se) Petition for Writ of Habeas Corpus	Denied
98P97	State v. Maness	(1) Def's (Pro Se) Petition for Writ of Mandamus (2) Def's (Pro Se) Petition for Writ of Habeas Corpus	(1) Dismissed (2) Denied
104P97	McMillian v. NC Farm Bureau Mut.	(1) Def's (NC Farm Bureau)	(1) Allowed

	Insurance Co., and Allstate Ins. Co.	PDR Under G.S. 7A-31 (2) Def's (Allstate) PDR Under G.S. 7A-31	(2) Allowed
106P97	Mullis v. Amp, Inc. and The Travelers Insurance Co.	Plt's PDR Under G.S. 7A-31	Denied
107P97*	Loos v. Dutro	Def's Motion for Temporary Stay	Allowed pending receipt & determination of a timely filed PDR. 3/12/97
108P97	Koltis, M.D., Carolina Radiation & Cancer Treatment Center, et al. v. NC DHR, Div. Of Facility Services, CON Section and Pitt Co. Memorial Hosp.	Intervenor-Respondent's (Pitt County Memorial) Motion to Withdraw PDR	Allowed
111P97	Juan Antonia Lopez Salas, et al. David McGee, et al.	(1) Plts' NOA (2) Plt's PDR (3) AG's Motion to Dismiss	(1) (2) Denied (3) Allowed
113P97	Kuplen v. Hardy, et al.	(1) Plt's NOA (Const. ?) (2) Plt's PDR Under G.S. 7A-31	(1) Dismissed (2) Denied

115P97	Spaulding v. State of North Carolina	Pet's (Pro Se) Pet. For Writ of Cert. To Review Order of Trial Court	Dismissed
116P97	Jarmond v. Adams	(1) Def's (Pro Se) Motion for Temporary Stay (2) Def's (Pro Se) Petition for Writ of Supersedeas (3) Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA	(1) Denied 3/17/97 (2) Denied (3) Denied
117P97*	Cooper v. Piedmont Area Mental Health	(1) Resp's (Piedmont Area Mental Health) Motion for Temporary Stay (2) Resp's Petition for Writ of Supersedeas (3) Resp's Pet. for Writ of Cert. to Review Order of NC COA	(1) Allowed pending review of petition for writ of certiorari. 3/18/97 (2) - - - - (3) - - - -
118A97*	State v. Richard Burns	(1) AG's Motion for Temporary Stay (2) AG's Petition for	(1) Denied 3/18/97 (2) Denied

		Writ of Supersedeas	3/18/97
126P97	State v. Arthur Baldwin	(1) AG's Motion for Temporary Stay (2) AG's Petition for Writ of Supersedeas (3) AG's PDR Under G.S. 7A-31 JUSTICE ORR RECUSED	(1) Allowed 3/24/97 (2) Allowed (3) Allowed
128P97	Collins & Aikman Products v. Hartford Accident & Indem.	Plt's PDR	Denied
131P97	State v. Bazemore	Def's PDR Under G.S. 7A-31	Denied
132P97	State v. Wilson	(1) Def's NOA (Const. ?) (2) Def's PDR Under G.S. 7A-31	(1) Dismissed (2) Denied
133P97*	State v. Deborah Ann Clifton	(1) AG's Motion for Temporary Stay (2) AG's Petition for Writ of Supersedeas	(1) Allowed 3/25/97 (2) - - - - (3) - - - -

		(3) AG's PDR Under G.S. 7A-31	
139P97	State v. Gemmie Smith	(1) Def's (Pro Se) Motion for Temporary Stay (2) Def's (Pro Se) Petition for Writ of Supersedeas (3) Def's (Pro Se) PDR Under G.S. 7A-31	(1) Denied 3/26/97 (2) Denied 3/26/97 (3) Denied 3/26/97
144P97	Osama A. Sader T/A Byrd's Grocery v. NC Alcoholic Beverage Control Commission	(1) ABC Commission's Petition for Writ of Supersedeas (2) ABC Commission's Motion for Temporary Stays (3) ABC Commission's Motion to By-Pass (4) ABC Commission's Petition for Writ of Certiorari pursuant to Rule 21(a)(2)	(1) See separate order filed 4/3/97. (2) Allowed. 3/27/97 (3) See separate order filed 4/3/97. (4) See separate order filed 4/3/97 (5) See separate order filed 4/3/97. (6) See separate order filed 4/3/97.

		(5) ABC Commission's Petition for Writ of Mandamus (6) ABC Commission's Petition for Writ of Prohibition JUSTICE ORR RECUSED	
148P97	State v. Sullivan	Def's (Pro Se) Motion for "Disbar of Relief"	Denied
215A96	State v. LeGrande	Def's (Pro Se) Motion Requesting Judicial Notice	Dismissed
215A96	LeGrande v. NC State Supreme Court	Def's (Pro Se) "Motion Demanding Payment of Penalty for Refusal to Grant Petition for Writ of Habeas Corpus"	Denied
280PA95	Soles v. City of Raleigh Civil Service Commission	Petitioner's (Soles) Petition for Rehearing	Denied
317PA96	NC Steel v. Nat'l Council on Compensation Ins. et al.	Plt's Motion to Grant Attorney Wood R. Foster, Jr. Privileges to	Allowed 3/13/97

		Practice <i>Pro Hac Vice</i>	
346PA96	Seufert, et a. v. Seven Lakes Development Co.	Def's Motion to Strike Portions of Plaintiff-Appellees' New Brief	Allowed
357A95*	State v. Milton Jones	Def's Motion to Authorize Appellate Attorneys to Inspect Exhibit	Allowed 3/17/97
364A96	State v. Creason	State's Motion to Waive Oral Argument	Allowed 4/7/97
399PA95	Whitford v. Gaskill and Durham	Plt's Petition for Rehearing	Allowed for the sole purpose of entering the following order: Delete the following clause at the end of the last paragraph on the last page of the opinion: "for entry of judgment consistent with this opinion" and substitute the following clause in lieu thereof: "for further proceedings not inconsistent with this opinion." 3/19/97
450A96	Kaplan, M.D., et al. v. Prolife Action League of Greensboro, et al.	(1) Plts' NOA (Dissent) (2) Plts' PDR Under G.S. 7A-31 as to Additional Issues (3) Defs' Motion to Dismiss Appeal in Part	(1) (2) Denied (3) Allowed

460P96	Perritt v. St. Pierre; Manpower of Guilford Co., Inc., et al.	Def's (City of Greensboro) PDR Under G.S. 7A-31	Allowed for the purpose of remanding to the COA for reconsideration in light of this Court's decision in <i>Lyles</i> .
461P96	Chapman, et al. v Byrd, et al.	Plt's PDR Under G.S. 7A-31	Denied
465P96	Lucile Watkins v. Estate of Watkins	Def's PDR Under G.S. 7A-31	Denied
470P96	Jordan v. Central Piedmont Community College, NC Dept. of Community Colleges	Def's PDR Under G.S. 7A-31	Denied
485P96	State v. Jordan and McElreath	(1) Def's (Jordan) NOA (Constitutional Question) (2) Def's (Jordan) PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal for Lack of Sub. Constitutional Question (4) Def's (McElreath) PDR Under G.S. 7A-31	(1) (2) Denied (3) Allowed (4) Denied
489P96	Members Interior Constr. Co. Inc. v. Leader Const. Co., Inc. and Hartford	Plt's PDR Under G.S. 7A-31	Denied

495P96	Nelson v. Hayes d/b/a Tote-A-Poke	Plt's PDR Under G.S. 7A-31	Denied
496P96	Tierney, et al. v. Garrard	(1) Plts' PDR Under G.S. 7A-31 (2) Def's Motion to Deem Response to PDR Timely Filed	(1) Allowed (2) Allowed
498A96	In re: Inquiry Concerning a Judge No. 194, Susan O. Renfer	(1) AG's Motion to Amend Record (2) AG's Motion for Reconsideration	(1) Allowed (2) Denied
503P96	Cisneros v. Cisneros	Plt's PDR Under G.S. 7A-31	Denied
512P96	Brietz v. Plank	Plt's PDR Under G.S. 7A-31	Denied
514P96	Tataragasi v. Tataragasi	(1) Def's NOA (Const. ?) (2) Def's PDR Under G.S. 7A-31 (3) Plt's Motion to Dismiss Appeal for Lack of Substantial Const. ?	(1) (2) Denied (3) Allowed
516P96	State v. Johnson	Def's Pet. for Writ of Cert. to	Denied

		Review Decision of NC COA	
518P96	State v. Godwin	(1) Def's NOA (Const. ?) (2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal for Lack of Subst. Const. ?	(1) (2) Denied (3) Allowed
523P96	Miracle v. NC Local Government Retirement System	(1) Plt's PDR Under G.S. 7A-31 (2) Defs' PDR Under G.S. 7A-31	(1) Denied (2) Denied
534P96	State v. Price	Def's (Pro Se) Pet. For Writ of Cert. To Review Decision of COA	Denied
535A95*	State v. Jerry Dale Hill	Def's Motion to Enlarge the Record on Appeal	Allowed 4/7/97
542P96	State v. Charles	Def's (Pro Se) Pet. For Writ of Cert. To Review Order of NC COA	Denied
547P96	Bullins, et al. v. Abitibi-Price Corp.	Plts' PDR Under G.S. 7A-31	Denied

548P96	Cauble v. Soft-Play, Inc. v. The Home Indemnity Co.	Defs' PDR Under G.S. 7A-31	Denied
558P96	Fairway Outdoor Advertising, Inc. v. City of Salisbury	Plt's Pet. For Writ of Cert. To Review Decision of NC COA	Denied
559P96	NC DOT v. Hodge, Jr.	Resp's (Hodge) PDR Under G.S. 7A-31	Allowed 3/7/97
148A91-2	State v. McHone	Def's Motion to Strike State's Evidence Submitted for the First Time in this Court	Denied
305A93-2	Fulton Corp. v. Offerman, Secretary of Revenue	Plt's Petition for Rehearing	Denied 3/24/97
499A91-3	State v. Sexton	(1) Def's Pet. for Writ of Cert. to Review Order of Superior Court (2) Def's Motion to Amend Petition for Writ of Certiorari	(1) Denied (2) Allowed

**** End of Document ****

Converted from WordPerfect