

SUPREME COURT OF NORTH CAROLINA

PETITIONS

11 June 2014

001P14	State v. John Omar Lalinde	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA13-115)</p> <p>2. State's Motion to Deem Response to PDR Timely Filed and Served</p>	<p>1. Denied</p> <p>2. Allowed</p>
002P11-3	State v. Ricky Bartlett	<p>1. Def's <i>Pro Se</i> Motion for Petition for <i>Writ of Certiorari</i></p> <p>2. Def's <i>Pro Se</i> Motion for Appropriate Release</p> <p>3. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>4. Def's <i>Pro Se</i> Motion for Appropriate Release</p>	<p>1. Denied</p> <p>2. Dismissed</p> <p>3. Allowed</p> <p>4. Dismissed</p> <p><b>Beasley, J., recused</b></p>
016P07-5	State v. Joey Duane Scott	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Guilford County	Dismissed

034P14	State v. George Lee Nobles	<p>1. Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Jackson County</p> <p>2. State's Motion for Extension of Time to File Response to Petition for <i>Writ of Certiorari</i></p> <p>3. Eastern Band of Cherokee Indians' Motion for Leave to File Statement of Interest and Position in Def's Petition for <i>Writ of Certiorari</i></p> <p>4. Adam N. Tabor's Motion to Withdraw as Counsel of Record</p>	<p>1. Denied</p> <p>2. Allowed <b>02/11/2014</b> Dissolved <b>06/11/2014</b></p> <p>3. Allowed</p> <p>4. Allowed</p>
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041A14	State v. Gregory Elder	<p>1. State's Motion for Temporary Stay (COA13-710)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's NOA Based Upon a Dissent</p> <p>4. State's PDR as to Additional Issues</p> <p>5. Motion of N.C. Advocates for Justice for Leave to File Amicus Curiae Brief if the Court Allows the State's PDR</p>	<p>1. Allowed <b>02/07/2014</b></p> <p>2. Allowed <b>03/06/2014</b></p> <p>3. ---</p> <p>4. Denied</p> <p>5. Dismissed as Moot</p>
045P14	<p>Philadelphus Presbyterian Foundation, Inc., Chris Emanuel Baxley, Danny Bullard &amp; Sybil Bullard Harris, Fraser &amp; Harris, LLC, Shelli Brewington, Ricky Lynn Britt, Phil Locklear &amp; Deborah Locklear, &amp; Melanie Strickland Hunt v. Robeson County Board of Adjustment, Robeson County Board of Commissioners, Robeson County</p>	<p>Petitioner's PDR Under N.C.G.S. § 7A-31 (COA13-777)</p>	<p>Denied</p>

049P13-2	State v. Cassius Renay Jones	1. Def's <i>Pro Se</i> Motion for Appropriate Relief  2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>  3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed  2. Allowed  3. Dismissed as Moot
051P14	State v. Douglas Dalton Rayfield, II	Def's PDR Under N.C.G.S. § 7A-31 (COA13-531)	Denied
059P14	State v. Yosheika Charmaine Smith	1. State's Motion for Temporary Stay (COA13-742)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>02/20/2014</b> Dissolved <b>06/11/2014</b>  2. Denied  3. Special Order

060A14	State v. Rondell Luvell Sanders	1. State's Motion for Temporary Stay (COA13-750)  2. State's Motion for <i>Writ of Supersedeas</i>  3. State's NOA Based Upon a Dissent  4. Def's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>02/26/2014</b>  2. Allowed <b>02/26/2014</b>  3. ---  4. Denied
071P14	State v. Ramil Marque Council	1. Def's NOA Based Upon a Constitutional Question (COA13-607)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed
072P14	State v. Charles Anthony McGrady	Def's PDR Under N.C.G.S. § 7A-31 (COA13-330)	Allowed

076P14	State v. William Lee Hall	<p>1. State's Motion for Temporary Stay</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31 (COA13-729)</p>	<p>1. Allowed <b>03/06/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. Denied</p>
077P14	National Enterprises Incorporated, a California Corporation v. John W. Hughes a/k/a John W. Hughes, III and Kathryn Hughes a/k/a Kathryn H. Hughes	Defs' PDR Under N.C.G.S. § 7A-31 (COA13-820)	Denied
084P14	In the Matter of: C.W.F	State's PDR Under N.C.G.S. § 7A-31 (COA13-444)	Allowed
086P14	James P. Torrence, Sr., and Tonya Burke, on behalf of themselves and all other persons similarly situated v. Nationwide Budget Finance, QC Holdings, Inc., QC Financial Services, Inc., Financial Services of N.C., Inc., and Don Early	<p>1. Plts' PDR Under N.C.G.S. § 7A-31 (COA12-453)</p> <p>2. Plts' Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of New Hanover County</p>	<p>1. Denied</p> <p>2. Denied</p>

089P14	In the Matter of: A.P.	Respondent-Father's PDR Under N.C.G.S. § 7A-31 (COA13-674)	Denied
090P14	State v. Douglas Dalton Rayfield, II	Def's PDR Under N.C.G.S. § 7A-31 (COA13-549)	Denied
092P14-2	State v. Gregory Austin Griffin	Def's <i>Pro Se</i> Motion for NOA (COA13-1093)	Dismissed
093P14	State v. Terrance L. Alexander	Def's PDR Under N.C.G.S. § 7A-31 (COA13-580)	Denied
095P14	State v. Derrick Lamont Leath	Def's PDR Under N.C.G.S. § 7A-31 (COA13-967)	Denied
096P14	State v. Daniel Junior Bandy	Def's PDR Under N.C.G.S. § 7A-31 (COA13-711)	Denied
100P14	Terry Wayne Wood v. Jeremy Nunnery, North Carolina Farm Bureau, and Firemen's Insurance Company of Washington, D.C.	<p>1. Def's (Jeremy Nunnery) PDR Under N.C.G.S. § 7A-31 (COA13-713)</p> <p>2. N.C. Association of Defense Attorney's Motion for Leave to File Amicus Brief</p> <p>3. Plt's Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed</p> <p>2. Dismissed</p> <p>3. Allowed</p>

101P14	LexisNexis Risk Data Management Inc., a Florida Corporation, and LexisNexis Risk Solutions Inc., a Georgia Corporation v. North Carolina Administrative Office of the Courts; John W. Smith, II, in his official capacity as the Director of the North Carolina Administrative Office of the Courts; and Nancy Lorrin Freeman, in her official capacity as the Clerk of the Wake County Superior Court	<p>1. Defs' (N.C. Administrative Office of the Courts and John W. Smith, II) Motion for Temporary Stay (COA13-547)</p> <p>2. Defs' (N.C. Administrative Office of the Courts and John W. Smith, II) Petition for <i>Writ of Supersedeas</i></p> <p>3. Defs' (N.C. Administrative Office of the Courts and John W. Smith, II) PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>03/27/2014</b></p> <p>2. Allowed</p> <p>3. Allowed</p> <p><b>Parker, J., recused</b></p>
104P14	Anjelika Dechkovskaia v. Alex Dechkovskaia (Male's Name Spelled Deshkovski)	Def's PDR Under N.C.G.S. § 7A-31 (COA13-766)	Denied

107P14	State v. Thomas Keith Sutton	<p>1. Def's Motion for Temporary Stay (COA13-841)</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's NOA Based Upon a Constitutional Question</p> <p>4. Def's PDR Under N.C.G.S. § 7A-31</p> <p>5. State's Motion to Dismiss Appeal</p>	<p>1. Allowed <b>03/31/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. ---</p> <p>4. Denied</p> <p>5. Allowed</p>
108P06-2	State v. Hezzie Locklear, Jr.	Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Robeson County	Dismissed
110P14	State v. Kermit Bernard Wooten	Def's <i>Pro Se</i> Motion for PDR (COA11-385)	Denied
111P14	Judy Knox v. University of North Carolina at Charlotte	<p>1. Petitioner's <i>Pro Se</i> Motion for Notice of Appeal (COA14-229)</p> <p>2. Petitioner's <i>Pro Se</i> Motion for PDR</p>	<p>1. Dismissed <i>Ex Mero Motu</i></p> <p>2. Denied</p>

112P14	State v. Douglas Durant Lipford	Def's PDR Under N.C.G.S. § 7A-31 (COA13-708)	Denied
114P14	State v. Michael Rashawn Crowder	1. State's Motion for Temporary Stay (COA13-824)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>04/07/2014</b> Dissolved <b>06/11/2014</b>  2. Denied  3. Denied
116P14	Lorie Ann Patterson v. University Ford, Inc.	Plt's PDR Under N.C.G.S. § 7A-31 (COA13-585)	Denied
118P14	Larry Barrow, Louis Brown, and Doris Murphrey v. D.A.N. Joint Venture Properties of North Carolina, LLC, Connie Murphrey, and Donald Stocks	Plts' PDR Under N.C.G.S. § 7A-31 (COA13-975)	Denied
119P14	State v. Jose Antonio Jaimes Nieto	Def's PDR Under N.C.G.S. § 7A-31 (COA13-430)	Denied
124P14	State v. Jason Lynn Young	State's Motion for Temporary Stay (COA13-586)	Allowed <b>04/16/2014</b>
125P14	State v. Steven Clark Kostick	Def's PDR Under N.C.G.S. § 7A-31 (COA13-873)	Denied

126P14	State v. James Anthony May	Def's <i>Pro Se</i> Motion for PDR (COA08-146)	Denied
127P14	State v. David Keith Price	<p>1. Def's Motion for Temporary Stay (COA13-904)</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's NOA Based Upon a Constitutional Question</p> <p>4. Def's PDR Under N.C.G.S. § 7A-31</p> <p>5. State's Motion to Dismiss Appeal</p>	<p>1. Allowed <b>04/21/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. ---</p> <p>4. Denied</p> <p>5. Allowed</p>
128P14	State v. Michael Edward Brooks	Def's <i>Pro Se</i> Motion for NOA (COAP13-33)	Dismissed
131A14	Morningstar Marinas/Eaton Ferry, LLC v. Warren County, North Carolina and Ken Krulik, Warren County Planning and Zoning Administrator, in his official capacity	<p>1. Respondents' NOA Based Upon a Dissent (COA13-458)</p> <p>2. Respondents' PDR as to Additional Issues</p>	<p>1. ---</p> <p>2. Denied</p>

133P14	State v. Joanna Leigh Beck	<p>1. Def's Motion for Temporary Stay (COA13-764)</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>04/23/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. Denied</p>
134P14	State v. Walter Anthony Arthur	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Durham County	Dismissed
138P14	Theodore Justice v. Joyner's Auto Body & Paint, Kevin Wayne Joyner, and Conrad Boyd Sturges, III, Law Firm of Davis, Sturges & Tomlinson	Plt's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied

140P14	State v. Eradio Velazquez-Perez and Edgar Ampelio-Vallalvazo	<p>1. State's Motion for Temporary Stay (COA13-694)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31</p> <p>4. Def's (Edgar Ampelio-Villalvazo) Conditional PDR Under N.C.G.S. § 7A-31</p> <p>5. Def's (Eradio Velazquez-Perez) NOA Based Upon a Constitutional Question</p> <p>6. Def's (Eradio Velazquez-Perez) PDR Under N.C.G.S. § 7A-31</p> <p>7. State's Motion to Dismiss Appeal</p>	<p>1. Allowed <b>05/05/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Dismissed as Moot</p> <p>5. ---</p> <p>6. Denied</p> <p>7. Allowed</p>
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146P14	Tracey Cline v. David Hoke, Individually and as Custodian of the Public Records Pursuant to N.C.G.S. § 132-2	Plt's <i>Pro Se</i> PDR Prior to a Determination of the COA (COA14-428)	Denied  <b>Parker, J., recused</b>
147P14	Celestine L. Simmons v. City of Greensboro, Housing Community Development Department (HCD), City Attorney Mujeeb Shah-Khan, and City Manager Denise Turner-Roth	Plt's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA13-1065)	Denied
152P14	State v. Montreall Lavell Banner	1. Def's NOA Based Upon a Constitutional Question (COA13-563)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed
154P14	State v. Cornell Lee Shelton	1. Def's <i>Pro Se</i> Motion for PDR (COA13-945)  2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>  3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed  2. Allowed  3. Dismissed as Moot

168P14	State v. Kevin Michael King	Def's Motion for Temporary Stay (COA13-1118)	Allowed <b>05/22/2014</b>
170P14	State v. Shawn Rondel Bailey	Motion for Temporary Stay	Allowed <b>06/05/2014</b>
171P14	State v. Lisa Starnes Morgan	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA13-1227)	Denied
172P11-2	State v. Kevin Errol Smith	Def's <i>Pro Se</i> Motion to Dismiss for Improper Pleading	Dismissed
183A14	State v. Tiyoun Jimek Jackson	1. State's Motion for Temporary Stay (COA13-743)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's NOA Based Upon a Dissent	1. Allowed <b>06/06/2014</b>  2. Allowed <b>06/06/2014</b>  3. ---
184P14	State v. Richard Shane Davis	1. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>  2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>  3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Denied <b>06/06/2014</b>  2. Allowed <b>06/09/2014</b>  3. Dismissed as Moot <b>06/09/2014</b>

186P14	In the Matter of: R.R.N.	Petitioner's Motion for Temporary Stay	Allowed
187P14*	In the Matter of: J.C.B., C.R.R., H.F.R.	Petitioner's Motion for Temporary Stay	Allowed <b>06/10/2014</b>
251P13-3	George T. Powell, Jr. v. ProDev X, LLC v. George R. Brown, Penny R. Powers and Robert E. Rousseau, and Shafic Andraos, Intervenor	Plt's <i>Pro Se</i> Motion for Petition for Rehearing	Dismissed
345P13-2	State v. Samuel J. Jackson	Def's <i>Pro Se</i> Motion to Object and Appeal the Order of the Court	Dismissed
345P13-3	State v. Samuel J. Jackson	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>05/29/2014</b>

<p>375PA13-2</p>	<p>Janet May and Curtis Hill, Co-Administrators of the Estate of Mark Curtis Hill v. Melrose South Pyrotechnics, Inc., and Ocracoke Civic Business Association d/b/a Ocracoke Island Civic and Business Association</p> <p>Judy B. Bray, Administrator of the Estate of Melissa Annette Simmons v. East Coast Pyrotechnics, Inc., formerly known as Melrose South Pyrotechnics, Inc.</p> <p>Kevin F. MacQueen, Administrator of the Estate of Charles Nathaniel Kirkland, Jr. v. East Coast Pyrotechnics, Inc., formerly known as Melrose South Pyrotechnics, Inc.</p> <p>Martez Holland v. East Coast Pyrotechnics, Inc., formerly known as Melrose South Pyrotechnics, Inc.</p>	<p>1. Defs' (Melrose South Pyrotechnics, Inc. and East Coast Pyrotechnics, Inc.) Motion for Temporary Stay (COA13-620)</p> <p>2. Defs' (Melrose South Pyrotechnics, Inc. and East Coast Pyrotechnics, Inc.) Petition for <i>Writ of Supersedeas</i></p> <p>3. Defs' (Melrose South Pyrotechnics, Inc. and East Coast Pyrotechnics, Inc.) PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>03/05/2014</b> Dissolved <b>06/11/2014</b></p> <p>2. Denied</p> <p>3. Denied</p>
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418P12-2	Mark Elliott, Tor and Michelle Gabrielson, Michihiro and Yoko Kashima, on behalf of themselves and of all others similarly situated v. KB Home North Carolina, Inc. and KB Home Raleigh-Durham, Inc. and KB Home Raleigh-Durham, Inc., Third-Party Plaintiff v. Stock Building Supply, LLC, Third-Party Defendant	<p>1. Def's (KB Home Raleigh-Durham, Inc.) NOA Based Upon a Constitutional Question</p> <p>2. Def's (KB Home Raleigh-Durham Inc.) PDR Under N.C.G.S. § 7A-31</p> <p>3. Motion to Admit Matthew H. Lembke <i>Pro Hac Vice</i></p> <p>4. Motion to Admit Kevin C. Newsom <i>Pro Hac Vice</i></p> <p>5. Motion to Admit Edmund S. Sauer <i>Pro Hac Vice</i></p> <p>6. Plts' Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> <p>4. Allowed</p> <p>5. Allowed</p> <p>6. Allowed</p>
441P13-2	State v. Jeroen M. Eve	Def's <i>Pro Se</i> Motion to Dismiss	Dismissed
449P11-8	State v. Charles Everette Hinton	Petitioner's <i>Pro Se</i> Motion for Notice of Joinder of Remedies for Suit at Law and in Civil Action	Dismissed

450A08-2	Harriet Hurst Turner and John Henry Hurst v. The Hammocks Beach Corporation, Inc., Nancy Sharpe Caird, Seth Dickman Sharpe, Swan Spear Sharpe, William August Sharpe, North Carolina State Board of Education, Roy A. Cooper, III, in his capacity as Attorney General of the State of North Carolina	Def's (The Hammocks Beach Corporation, Inc.) Motion for Objection to Argument Content	Dismissed as Moot
450A08-2	Harriet Hurst Turner and John Henry Hurst v. The Hammocks Beach Corporation, Inc., Nancy Sharpe Caird, Seth Dickman Sharpe, Swan Spear Sharpe, William August Sharpe, North Carolina State Board of Education, Roy A. Cooper, III, in his capacity as Attorney General of the State of North Carolina	Joint Motion to Dismiss Appeal	Allowed <b>06/11/2014</b>
463P13	State v. James Anthony Carr	1. Def's NOA Based Upon a Constitutional Question (COA13-259)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed

468P13-2	State v. Donald Jay Young	1. Def's <i>Pro Se</i> Motion for PDR  2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>  3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed  2. Allowed  3. Dismissed as Moot
483P13-2	Robert Andrew Bartlett, Sr. v. Frank L. Perry, Secretary,. N.C. Department of Public Safety	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>06/10/2014</b>
508P13-2	State v. Norbert Glen Richardson	Def's <i>Pro Se</i> Motion for Memorandum of Support	Dismissed
521P13	Julio Alberto Martinez Zaldana, Employee v. Horace Smith d/b/a Carolina Construction Company, Employer, and/or Auto Owners Insurance Company, Alleged Carrier, and/or Dargan Construction Company (Gallagher Bassett Services, Inc., Third-Party Administrator)	Plaintiff's PDR Under N.C.G.S. § 7A-31 (COA13-318)	Denied
523P13	In the Matter of: D.C.	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA13-502)	Special Order

544P13	Bonnier R. Robinson, Administrator of the Estate of Bernice D. Thomas v. Discovery Insurance Company	Def's PDR Under N.C.G.S. § 7A-31 (COA13-226)	Denied
554P13	Robert Anthony Coats v. N.C. Department of Health and Human Services, O'Berry Neuro- Medical Treatment Center	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA13- 275)	Denied
559PA11-3	State v. Bruce Lee Griffin	1. Def's <i>Pro Se</i> Motion for Appropriate Relief  2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma</i> <i>Pauperis</i>  3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed  2. Allowed  3. Dismissed as Moot  <b>Beasley, J., recused</b>

568A03-2	State v. Larry Stubbs	<p>1. Def's NOA Based Upon a Dissent (COA13-174)</p> <p>2. Def's NOA Based Upon a Constitutional Question</p> <p>3. Def's PDR as to Additional Issues</p> <p>4. State's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. ---</p> <p>3. Denied</p> <p>4. Allowed</p>
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