

SUPREME COURT OF NORTH CAROLINA

PETITIONS

Decided by the Court in Conference: 1 October 2003

{Posted on the Internet Web Site: 2 October 2003 at 10:30 a.m.}

COMMON ABBREVIATIONS

| Abbreviation | Full Term |
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| 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 |

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| 005A86-10 | State v. Henry Lee Hunt | 1. Def's Emergency Motion for Stay of Execution | 1. Denied 09/11/03 |
| | | 2. AG's Motion to Vacate Stay of Execution | 2. See Special Order 09/11/03 |
| | | 3. AG's Emergency PWC to Review the Order of the Superior Court | 3. See Special Order |

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| | | <p>4. AG's Emergency Petition for Writ of Prohibition</p> <p>5. Def's PWC to Review the Order of the Superior Court</p> <p>6. AG's Motion to Prohibit Further Evidentiary Hearing in Roberson County on Hunt's Claim Challenging Manner of Execution</p> | <p>09/11/03</p> <p>4. See Special Order</p> <p>09/11/03</p> <p>5. See Special Order</p> <p>09/11/03</p> <p>6. See Special Order</p> <p>09/11/03</p> |
| 115A02-2 | Jones v. Polk | Petitioner's <i>Pro Se</i> Motion for Writ of Mandamus | Denied |
| 117A02 | Angela Dawes, Administratrix of the Estate of Effie Hendricks v. Nash County and Nash County Emergency Medical Services, a Division of Nash County | Def's Petition for Rehearing | Denied 09/09/03 |

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| 134A93-11 | State v. Joseph Timothy Keel | AG's Motion to Lift Stay of Execution | Allowed 09/11/03 |
| 143PA03 | Department of Transportation v. Airlie Park, Inc., et al. | Joint Motion by Plaintiff and Defendant (Airlie Park, Inc.) to Dismiss Appeal | Allowed 09/08/03 |
| 145A91-5 | State v. Joseph Earl Bates | 1. Def's Motion for Emergency Stay of Execution 2. Def's PWC to Review the Order of the Superior Court 3. Def's Motion to Allow Opportunity to Amend Motion for Appropriate Relief 4. Def's Motion for Additional Time to Amend Motion for Appropriate Relief | 1. Denied 09/24/03 2. Denied 09/24/03 3. Denied 09/24/03 4. Denied 09/24/03 |
| 154PA03 | State v. Roman Gutierrez Rubio | Def's Motion to Allow Joined Parties' Counsel To Represent Appellee at Oral Argument | See Special Order 08/27/03 |

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| 240P03 | Louis Dalenko, an incompetent, by Interim General Guardian, Carol Bennett, and Carol Bennett, individually v. Wake County Dept. of Human Services, et al. | Plt's (Carol Bennett) Motion for Meaningful Reconsideration (Rules 2 and 37, N.C. Rules of Appellate Procedure) | Dismissed |
| 255P03 | Bennie Jay Eatmon v. Southern States Coop., Inc., et al. | <p>1. Plt's <i>Pro Se</i> Motion to Reconsider the Decision (Dismissal) Because of the Fourth Amendment Violation in Which the Defendants Allowed to Occur</p> <p>2. Plt's <i>Pro Se</i> Motion to Withdraw Unperfected Appeal (Voluntary Withdraw)</p> <p>3. Plt's <i>Pro Se</i> Motion to Voluntarily Withdraw Unperfected Appeal</p> | <p>1. Denied</p> <p>2. Allowed</p> <p>3. Allowed</p> |
| 300A03 | State v. Roger Lee Deal | <p>1. Def's NOA Based Upon a Constitutional Question (C0A02-811)</p> <p>2. AG's Motion to Dismiss Appeal</p> | <p>1. ---</p> <p>2. Allowed</p> |

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| 304P03 | State v. Virgil Glenn Latham | <p>1. Def's NOA Based Upon a Constitutional Question (COA02-595)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. AG's Motion to Dismiss Appeal</p> | <p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> |
| 318A03 | Dr. John A. Smith, d/b/a Highwoods Chiropractic v. State Farm Mutual Automobile Ins. Co. | <p>1. Def's NOA Based Upon a Dissent (COA02-544)</p> <p>2. Plt's PDR as to Additional Issues</p> | <p>1. ---</p> <p>2. Denied</p> |
| 320P03 | State v. Clarence Gillis | Def's PDR Under N.C.G.S. § 7A-31 (COA02-638) | Denied |
| 326A03 | In the Matter of the Testamentary Trust of Ethylene R. Charnock, Deceased | Petitioner's PWC to Review the Decision of the COA (COA02-820) | Denied |
| 328P03 | State v. Kenneth King | 1. Def's <i>Pro Se</i> NOA Based Upon a Constitutional Question (COA02-830) | 1. --- |

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| | | <p>2. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p> <p>3. AG's Motion to Dismiss Appeal</p> | <p>2. Denied</p> <p>3. Allowed</p> |
| 332P03 | State v. Mable Tillman Green | Def's PDR Under N.C.G.S. § 7A-31 (C0A02-1184) | Denied |
| 336P03 | Maria Teresa Palmer, Guardian Ad Litem for J. Carmen Fuentes, Employee v. W. Brent Jackson d/b/a Jackson's Farming Company, Employer and Companion Property and Casualty, Carrier | Defs' PDR Under N.C.G.S. § 7A-31 (COA02-1) | Allowed |
| 340P03 | Piedmont Institute of Pain Management, a North Carolina Corporation, et al. v. Staton Foundation and Philip A.R. Staton, in His Individual Capacity and in His | Plts' PDR Under N.C.G.S. § 7A-31 (COA02-147) | Denied |

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| | <p>Representative Capacity as Trustee of the Staton Foundation</p> <p>Piedmont Institute of Pain Management, et al. v. Centura Bank, Poyner & Spruill, Poyner & Spruill, L.L.P.</p> | | |
| 344P03 | State v. Connie Clark Morris | Def's PWC to Review the Decision of the COA (COA02-438) | Denied |
| 346P03 | State v. Keith Lauchon Jackson, Jr. | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP02-840)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> | <p>1. Dismissed</p> <p>2. Denied</p> |
| 351P03 | State v. Anthony Mathew Mangum | Def's PDR Under N.C.G.S. § 7A-31 (COA02-988) | Denied |
| 352P03 | Bennie Jay Eatmon v. RBC Bank | 1. Plt's <i>Pro Se</i> Petition for Rehearing on Dismissal of Motion for Reconsideration (02 CVS 2523 from Nash County) | 1. Dismissed as moot |

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| | | <p>2. Plt's <i>Pro Se</i> Motion to Withdraw Unperfected Appeal (Voluntarily Withdraw)</p> <p>3. Plt's <i>Pro Se</i> Motion to Withdraw Unperfected Appeal</p> | <p>2. Allowed</p> <p>3. Allowed</p> |
| 353A02 | Eastern Outdoor, Inc., Petitioner v. Board of Adjustment of Johnston County, Respondent | Respondent's Motion to Submit on the Brief | <p>Denied</p> <p>09/08/03</p> |
| 357P03 | Harold E. Smith, Employee v. First Choice Services, Inc., Employer and State Farm Fire and Casualty Co., Carrier | Joint Motion to Withdraw PDR | <p>Dismissed as moot</p> <p>08/29/03</p> |
| 363P03 | State v. Ralph Franklin Fredrick | Def's PDR Under N.C.G.S. § 7A-31 (COA02-237) | Denied |
| 370P03 | J. Richard Sullivan v. Mebane Packaging Group, Inc., et al. | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-762) | Denied |

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| 375P03 | Department of Transportation v. Roymac Partnership, a North Carolina General Partnership, and County of New Hanover | <p>1. Def's (Roymac Partnership) PDR Under N.C.G.S. § 7A-31 (COA02-441)</p> <p>2. Plt's (DOT) PDR Under N.C.G.S. § 7A-31</p> | <p>1. Allowed</p> <p>2. Allowed</p> |
| 376P03 | In re: Lint | Respondent's (Arminda Shaefer Ferguson) PDR Under N.C.G.S. § 7A-31 (COA02-1109) | Denied |
| 378P00-3 | State v. Timothy Clarence Allison | <p>1. Def's NOA Based Upon a Constitutional Question (COA02-1043)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. AG's Motion to Dismiss Appeal for Lack of Substantial Constitutional Question</p> | <p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> |
| 381P03 | The Board of Drainage Commissioners of Pitt County Drainage District No. 3, et al. v. Terry Ray Dixon, et al. | <p>1. Plts' PDR Under N.C.G.S. § 7A-31 (COA02-834)</p> <p>2. Defs' Conditional PDR as to Additional Issues</p> | <p>1. Allowed</p> <p>2. Allowed</p> |

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| 383P03 | W. Bruce Howerton, Jr., DDS v. Arai Helmet, Ltd., a Japanese Corporation; Arai Helmet, Ltd., a New Jersey Corporation; and Tom Brissey | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-612) | Allowed 08/22/03 |
| 386P03 | In the Matter of: Amanda Magan Smith Morgan Brandy Smith | Respondent's PDR Pursuant to N.C.G.S. § 7A-31 (COA02-1689) | Denied |
| 387P03 | State v. Joshua Adam Spruill | Def's PWC to Review the Decision of the COA (COA02-702) | Denied |
| 388P03 | State v. Brian Jackie Harper | 1. Def's NOA Based Upon a Constitutional Question 2. Def's PDR Under N.C.G.S. § 7A-31 (COA02-764) 3. AG's Motion to Dismiss for Lack of Substantial Constitutional Question | 1. --- 2. Denied 3. Allowed |

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| 397P03 | In the Matter of the Will of Shirley G. Smith, Deceased | Propounder's (Carrie A. Allison) PDR Under N.C.G.S. § 7A-31 (COA02-1323) | Denied |
| 399P03 | Lester Daniel Bryson and John Frank Bowen v. State of N.C. D.O.C. Secretary Theodis Beck and Combined Records Manager Judy Sills | <p>1. Plts' <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-474)(Filed as NOA Based Upon a Constitutional Question)</p> <p>2. Plts' <i>Pro Se</i> PWC to Review the Order of the COA (Filed as PDR)</p> <p>3. Plts' <i>Pro Se</i> Motion for Appointment of Counsel</p> <p>4. Plts' <i>Pro Se</i> Motion to Appear <i>In Forma Pauperis</i></p> | <p>1. Denied</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Allowed</p> |
| 400P03 | State v. Jimmy Lee Burgess | <p>1. Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA00-1391)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>3. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> | <p>1. Denied</p> <p>2. Denied</p> <p>3. Allowed</p> |

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| 402P03 | State v. Benjamin L. Doyle | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>2. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>3. Def's <i>Pro Se</i> Motion to Appeal the Decision to Deny Me Time Given to Me in Court Law</p> | <p>1. Denied</p> <p>2. Denied</p> <p>3. Denied</p> |
| 403P03 | State v. Joseph Donnell Littlejohn | Def's PDR Under N.C.G.S. § 7A-31 (COA02-575) | Denied |
| 408P03 | Patricia Zumkehr v. Hidden Lakes Property Owners Association, Inc. | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-547) | Denied |
| 411P03 | People Unlimited Consulting, Inc., Plaintiff-Appellee v. B&A Industries, LLC d/b/a Total Outsourcing, et al., Defendant-Appellees and Scott Russell, Third Party Plaintiff-Appellant v. Janis Love and Claire Russell, Third | <p>1. Defs' (Scott and Kathy Shoff Russell) PDR Under N.C.G.S. § 7A-31 (COA02-815)</p> <p>2. Defs' (Scott and Kathy Shoff Russell) PWC to Review the Decision of the COA</p> | <p>1. Denied</p> <p>2. Denied</p> |

| | Party Defendant-Appellees | | |
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| 412P03 | State v. Roosevelt Givens, Jr. | 1. Def’s NOA (Constitutional Question) (COA02-876) 2. Def’s PDR Under N.C.G.S. § 7A-31 3. AG’s Motion to Dismiss Appeal | 1. --- 2. Denied 3. Allowed |
| 413P03 | State v. Kawame Lloyd Mays | AG’s PDR Under N.C.G.S. § 7A-31 (COA01-1387) | Denied |
| 415P03 | Flora Deese v. B.C. Moore & Sons, Inc. | 1. Def’s Motion for Temporary Stay 2. Def’s Petition for Writ of Supersedeas 3. Def’s PWC to Review the Order of the COA (COAP03-612) | 1. Denied 08/11/03 2. Denied 3. Denied |

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| 416P03 | In the Matter of: Allan Robert Zachery Clayton | Respondent's (Imogene Clayton) PDR Under N.C.G.S. § 7A-31 (COA02-732) | Denied |
| 419P03 | Thomas W. Hill v. Garford Tony Hill, Jewel Ann Hill, et al. | Plt's PDR Prior to Determination by the COA (COA03-970) | Denied Martin, J., recused |
| 420P03 | State v. Tommy Jerome McNeil | 1. Def's PDR Under N.C.G.S. § 7A-31 (COA02-1401) 2. State's Response to Def's PDR 3. AG's Motion for State's Response to Def's PDR to be Deemed Timely Filed | 1. Denied 2. Dismissed as moot 3. Allowed |
| 421P03 | State v. Harold K. Harmon | Def's <i>Pro Se</i> Motion for Appropriate Relief | Dismissed |
| 422P03 | Sam F. Mandina v. Donald W. Stephens, Senior Resident Judge | Plt's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-531) | Denied |

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| 423P03 | State v. Harold Hueston | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> | <p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Denied</p> |
| 424P03 | Robert Gene Bailey, BBC, Inc. and Bragg Auto Home Realty v. N.C. Dept. of Motor Vehicles, et al. | Plt's (Robert Gene Bailey) <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-250) | Denied |
| 425P03 | State v. Donnie Ray Outlaw | <p>1. AG's Motion for Temporary Stay</p> <p>2. AG's Petition for Writ of Supersedeas</p> <p>3. AG's PDR Under N.C.G.S. § 7A-31 (COA02-584)</p> | <p>1. Denied 08/14/03</p> <p>2. Denied</p> <p>3. Denied</p> |
| 427P03 | Chrysler Financial Company, LLC v. | Def's (S.C. Insurance Company) PDR Under N.C.G.S. § 7A-31 (COA02-1079) | Denied |

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| | South Carolina Insurance Company, Jimmy Johnson and Mary Johnson | | |
| 430A03 | Dorothy Hunt, Employee v. North Carolina State University, Employer, Self-Insured, Key Risk Management Services, Administrative Agent | 1. Plt's NOA Based Upon a Dissent in the COA (COA02-842) 2. Plt's PDR as to Additional Issues (COA02-842) | 1. --- 2. Denied |
| 432P03 | State v. Laurence Perry | Def's PDR Under N.C.G.S. § 7A-31 (COA02-1356) | Denied |
| 433P03 | State v. Jackie Columbus Norfleet | Def's PDR Under N.C.G.S. § 7A-31 (COA02-256) | Denied |
| 434P03 | State v. Michael Duane Kelly | 1. Def's NOA Based Upon a Constitutional Question (COA02-541) 2. Def's PDR Under N.C.G.S. § 7A-31 | 1. --- 2. Denied 3. Allowed |

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| | | 3. AG's Motion to Dismiss Appeal | |
| 435P03 | State v. Christopher Shaw | Def's PDR Under N.C.G.S. § 7A-31 (COA02-537) | Denied |
| 437P03 | In the Matter of: Ashley Hutchins | Respondent's (Philip Allen Hutchins) PDR Under N.C.G.S. § 7A-31 (COA02-1322) | Denied |
| 440P03 | Brenda Stainback Crowder v. Robert H. Crowder | Def's PDR Under N.C.G.S. § 7A-31 (COA02-1128) | Denied Edmunds, J., recused |
| 444P03 | State v. Robert Earl Parker | 1. Def's Pro Se PWC to Review the Decision of the COA (COA01-413) 2. Def's Pro Se PWC to Review the Order of the Superior Court 3. Def's Pro Se Motion to Appoint Counsel | 1. Denied 2. Dismissed 3. Denied |
| 446P03 | Capital Outdoor, Inc., et al., Petitioners v. E. | Petitioners' (Horizon Outdoor Advertising, Inc., Adams Outdoor Advertising of | Denied |

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| | <p>Norris Tolson, as Secretary of the DOT, Respondent</p> <p>Adams Outdoor Advertising of Charlotte, a Minnesota Limited Partnership, Petitioner v. David McCoy, Secretary of the DOT, Respondent</p> <p>Capital Outdoor, Inc., Petitioner v. David McCoy, Secretary of the DOT, Respondent</p> | <p>Charlotte, and the Lamar Company, LLC) PDR Under N.C.G.S. § 7A-31 (COA02-94)</p> | |
| 447P03 | <p>State v. Donna Torres</p> | <p>1. Def’s PDR Under N.C.G.S. § 7A-31 (COA02-1726)</p> <p>2. AG’s Motion to Dismiss Appeal</p> | <p>1. Denied</p> <p>2. Dismissed</p> |
| 448P03 | <p>Appalachian Land Services, PA v. Michael E. Bailey</p> | <p>1. Def’s <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-284)</p> | <p>1. Denied</p> <p>2. Dismissed</p> |

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| | | <p>2. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>3. Def's <i>Pro Se</i> Motion to Bypass the COA</p> <p>4. Def's <i>Pro Se</i> Motion to Strike Response to PWC</p> | <p>3. Denied</p> <p>4. Dismissed as moot</p> |
| 449P03 | Laura J. Smith v. Donnie Lynn Hamrick | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-1004) | Denied |
| 450P03 | Benson E. Lee, III v. Fantasy Lake, Inc. | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-966) | Denied |
| 453P03 | State v. Ronnie Rydell Little | Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-503) | Dismissed |
| 455P03 | Mickey Hayes, Petitioner v. State of North Carolina, Respondent | Petitioner's <i>Pro Se</i> Petition for Writ of Habeas Corpus | Denied 09/03/03 |
| 456P03 | State v. Charles M. Cassell, III | 1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COA03-7) | 1. Denied |

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| | | <p>2. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</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 Copies and Issuance</p> | <p>2. Dismissed</p> <p>3. Allowed</p> <p>4. Denied</p> |
| 458P03 | Ferdinand L. Carter v. Charles Cook and N.C. Farm Bureau Mutual Ins. Co. | Plt's PDR Under N.C.G.S. § 7A-31 (COA02-1215) | Denied |
| 461P03 | State v. Marchello Antonius Bitting | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> | <p>1. Dismissed</p> <p>2. Denied</p> |
| 464P03 | State v. J.C. Castor | <p>1. Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA01-479) (Filed as Motion for Belated Appeal)</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> | <p>1. Denied</p> <p>2. Allowed</p> |

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| | | <p>3. Def's <i>Pro Se</i> Motion for Copies of Issuance</p> <p>4. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>5. Def's <i>Pro Se</i> Motions for Copies and Issuance</p> <p>6. Def's <i>Pro Se</i> Motion for Belated Appeal</p> | <p>3. Denied</p> <p>4. Dismissed as moot</p> <p>5. Denied</p> <p>6. Dismissed ex mero motu</p> |
| 465P03 | State v. Bobby Eugene Pugh | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-502)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> | <p>1. Dismissed</p> <p>2. Denied</p> |
| 467P03 | Timmy R. Butler and Francis D. Butler v. City Council of the City of Clinton and the City of Clinton | Plts' PDR Under N.C.G.S. § 7A-31 (COA02-1268) | Denied |
| 471P03 | State v. Lloyd T. Leonard, II | Def's <i>Pro Se</i> PWC to Review the Order of the COA | Denied |

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| | | (COAP03-693) (Filed as NOA Based Upon a Constitutional Question) | |
| 472P03 | State v. Thomas L. Andrews | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's <i>Pro Se</i> Motion to Remand to Superior Court</p> | <p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed</p> |
| 480P03 | Albert M. Hargrove v. Batts Temporary Service d/b/a Labor Works and Clarendon National Insurance Company, c/o Midwestern Insurance Alliance, Inc. | <p>1. Plt's <i>Pro Se</i> NOA (Constitutional Question) (COA02-1397)</p> <p>2. Plt's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (I.C. No. 065431)</p> | <p>1. Dismissed ex mero motu</p> <p>2. Denied</p> |
| 484A03 | Ridgefield Properties, L.L.C., et al. v. City of Asheville, a North Carolina Municipal Corporation | <p>1. Respondent's NOA Based Upon a Dissent (COA02-1110)</p> <p>2. Respondent's PDR as to Additional Issues</p> | <p>1. ---</p> <p>2. Denied</p> |

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| 489P03 | State v. Brandon Neil Thomas | Def's PDR Under N.C.G.S. § 7A-31 (COA02-1276) | Denied |
| 490P03 | In the Matter of Isaiah Stratton, DOB 10-01-85, et al. | <p>1. Respondent's (Jack Stratton) NOA Based Upon a Constitutional Question (COA02-745)</p> <p>2. Respondent's (Jack Stratton) PDR Under N.C.G.S. § 7A-31</p> <p>3. Petitioner's (DSS) Motion to Dismiss</p> | <p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> |
| 497P03 | <p>In the Matter of the Foreclosure of the Deed of Trust Dated February 8, 1999, and Recorded in Book 1874, Page 473 in the Orange County Registry, Executed by Haywood M. Clayton, and wife, Sylvia Clayton</p> <p>By Barden W. Cooke, Substitute Trustee</p> | <p>1. Respondents' (Haywood M. Clayton and Sylvia K. Clayton) <i>Pro Se</i> Motion for Temporary Stay</p> <p>2. Respondents' (Haywood M. Clayton and Sylvia K. Clayton) <i>Pro Se</i> Petition for Writ of Supersedeas</p> | <p>1. Denied 09/11/03</p> <p>2. Denied 09/11/03</p> |
| 500A03 | Jeffrey R. Kennedy, D.D.S., | 1. Def's Motion for Temporary Stay | 1. Denied |

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| | P.A. v. K. Carroll Kennedy and Jerre Kennedy | 2. Defendant's Petition for Writ of Supersedeas 3. Def's NOA Based Upon a Dissent (COA02-1198) | 09/11/03 2. 3. Orr, J. recused |
| 503P03 | Clark Douglas Monin v. Peerless Insurance Company, Allstate Insurance Company and Allstate Indemnity Company | Plt's PDR Pursuant to N.C.G.S. § 7A-31 (COA02-1105) | Denied |
| 506P03 | State v. James Nathaniel Chambers | Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA02-1472) | Denied |
| 508P03 | State v. Berkley Eugene Hairston | 1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-626) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i> | 1. Dismissed 2. Allowed |

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| 509A03 | Jay T. Pintacuda and wife, Lucretia Pintacuda v. Jack Zuckeberg | <p>1. Def's NOA (Dissent)</p> <p>2. Def's PDR as to Additional Issues (COA02-905)</p> | <p>1. ---</p> <p>2. Allowed</p> |
| 515P03 | State v. Larry A. March | Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-724) | Denied |
| 520P03 | State v. Rae Lamar Wiggins a/k/a Rae Carruth | Defendant-Appellant's PDR Under N.C.G.S. § 7A-31 (COA02-959) | Denied |
| 525P03 | In Re: The Church of Yahshua the Christ at Wilmington | <p>1. Petitioner's (Church's) NOA of Right Raising Constitutional Questions Pursuant to N.C.G.S. § 7A-31 (COA02-1005)</p> <p>2. Petitioner's (Church's) PDR Pursuant to N.C.G.S. § 7A-31</p> <p>3. Petitioner's (Church's) Motion for Temporary Stay</p> | <p>1. Dismissed ex mero motu 09/19/03</p> <p>2. Denied 09/19/03</p> <p>3. Denied 09/19/03</p> |
| 527P03 | Stager, Brady . . . Executive | Respondent's <i>Pro Se</i> Motion for Temporary Stay | Dismissed |

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| | Committee of Bd. of Directors of Crowfields Condominium Assoc. v. O. Claude Smith and Linda Smith | | 09/19/03 |
| 531A94-3 | State v. Edward Ernest Hartman | 1. Defendant-Appellant's Motion for Stay of Execution | 1. Denied 09/25/03 |
| | | 2. Defendant-Appellant's Petition for Writ of Certiorari | 2. Denied 09/25/03 |
| 531A94-4 | State v. Edward Ernest Hartman | 1. Def's PWC to Review the Order of the Superior Court | 1. Denied |
| | | 2. Def's Motion to Stay Execution | 2. Denied |
| | | 3. Def's Motion to Vacate Death Sentence | 3. Denied |
| | | 4. Def's Motion to Remand for Entry of a Life Sentence | 4. Denied |

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| 552P00-2 | State v. Gregory Maurice Lee | <p>1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-596)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>3. Defendant's <i>Pro Se</i> PWC to Review the order of the COA (COAP01-48)</p> <p>4. Defendant's <i>Pro Se</i> PWC to Review the Order of the Superior Court</p> <p>5. Defendant's <i>Pro Se</i> Motion to Appoint counsel</p> <p>6. Defendant's <i>Pro Se</i> Petition for Writ of Habeas Corpus</p> | <p>1. Denied 09/16/03</p> <p>2. Denied 09/16/03</p> <p>3. Dismissed 09/16/03</p> <p>4. Dismissed 09/16/03</p> <p>5. Denied 09/16/03</p> <p>6. Denied 09/16/03</p> |
| 574A97-3 | State v. Errol Duke Moses | Def's PWC to Review the Order of the Superior Court | Denied |
| 605A02 | State v. Alvino Rae Wilson, Jr. | Def's Motion to Strike Portions of New Brief for the State | Denied |

