

SUPREME COURT OF NORTH CAROLINA

PETITIONS

Decided by the Court in Conference: 18 December 2001

{Posted on the Internet Web Site: 18 December 2001 at 1:00 p.m.}

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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

002P01	State v. Joseph Marion Head, Jr.	1. Def's Pro Se Motion for New Trial (74CR2403) (received 08/29/01) 2. Def's Pro Se Motion for Appropriate Relief (74CR2403) (received 08/29/01)	1. Denied 2. Denied
010A96-2	State v. Davy Gene Stephens	Def's PWC to Review the Order of the Superior Court	Denied
019A01	State v. Gary Wayne Long	Def's Motion to Hold in Abeyance	Dismissed as Moot
080P01	Jimmy Clark, Employee v. ITT Grinnell Industrial	Def's (ITT Grinnell Industrial Piping,	Allowed for the Limited Purpose of Remand for Reconsideration in

	Piping, Inc., Employer, Liberty Mutual Insurance Company, Carrier, Cigna Insurance Company	Inc.) PDR Under G.S. § 7A-31 (COA99-246)	Light of Austin v. Continental General Tire, Slip Op. No. 73A01 (filed 9 November 2001). Edmunds, J. Recused
148A01*	Ben Johnson Homes, Inc. et al v. Carol Frees Watkins	1. Plt's (Second) Motion to Amend Record on Appeal 2. Plt's (First) Motion to Amend Record on Appeal	1. Allowed 2. Allowed
156A00*	Hugh A. Wells, Judge of the N.C. Court of Appeals (Retired) v. Consolidated Judicial Retirement System of N.C. et al	Plt's Petition for Rehearing	Denied
183A00*	State v. William Todd Anthony	1. Def's Motion to Dismiss 97 CRS 11653 for Lack of Jurisdiction 2. Def's Motion to Amend Record and Brief to Include Lack of Jurisdiction as Reason for Relief 3. Def's PWC to Consider Dismissal of 97 CRS 11653	1. Denied 2. See Opinion 3. Denied
195P01-2	State v. Destry Riccard	Def's Pro Se PWC to Review the Orded of the COA (COA99-1494)	Denied
269A00	State v. Billy Raymond Anderson	1. Def's Motion For Appropriate Relief	1. Goes with Case 2. Denied

		2. Def's Second Motion to Stay Appeal	
344P01-2	Jack R. Gurkin, Administrator, CTA for Gladys Jones Gurkin, Deceased v. Mary Louise Crawford	Def's Pro Se Motion for Stenographic Transcript and Trial Records	Denied
346P01	State v. Leonard Douglas Reeves	Def's PWC to Review the Decision of the COA (COA99-1628)	Denied
380P01	Rawls & Associates v. Alice W. Hurst and Billy A. Hurst	Def's PDR Under G.S. 7A-31 (COA00-567)	Denied
402A00*	State v. Terry Alvin Hyatt	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 11/21/01
403P01	Judy C, Kearns v. William F. Horsley, Donaldson & Black, P.A. f/k/a Donaldson & Horsley, P.A.	Pit's PDR Under G.S. § 7A-31	Denied
405A01*	State v. William Lyda Messer	1. AG's NOA Based Upon a Dissent (COA00-709) 2. AG's Petition for Writ of Supersedeas (COA00-709) 3. AG's Motion for Temporary Stay	1. -- 2. Dismissed as Moot 3. Allowed 07/30/01 Dissolved
407P01	Debra Riley v. Linda Debaer, Tim Miller, Individually; and Atlantic Behavioral Health Systems, Inc.,	Defs' PDR Under G.S. § 7A-31 (COA00-675)	Allowed for the Limited Purpose of Remanding to the Court of Appeals for Reconsideration in Light of Johnson v. First Union Corp., 131 N.C. App. 142, 504 S.E.2d 808

	now doing business as Carolina Rehabilitation, and previously doing business as Total Rehab		(1998), review allowed, 349 N.C. 529, 526 S.E.2d 126 (1998), review improvidently allowed, 351 N.C. 339, 525 S.E.2d 171 (2000). See In Re Civil Penalty, 324 N.C. 373, 379 S.E.2d 30 (1981).
418P01	State v. Charles Eric Hill	Def's PWC to Review the Decision of the COA (COA00-907)	Denied
425P01	State v. Lloyd Lewis	Def's Pro Se PWC to Review the Orders of the Superior Court (98 CRS 9777; 98 CRS 9847)	Denied
428P99-3	Gary Lee Torain v. State	Plt's Pro Se PWC to Review the Order (10/01/01) of the COA (COAP01-623)	Denied Edmunds, J. Recused
442P01	Harold L. Honbarrier, Jr. v. Gary M. Beaver and Wife, Lovetta Beaver; and The Warrior Golf Club, LLC	Def's (The Warrior Golf Club, LLC) PDR Under G.S. § 7A-31	Denied
462A01-6	Guy Tobias LeGrande v. State	1. Plt's Pro Se Civil Claim Against the State of N.C. for Erroneous Convictions, Imprisonments and Sentence to Death in Capital Case 95 CRS 567, 847 from Stanly County 2. Plt's Pro Se Civil Claim Against the State for Malicious and Deliberate Erroneous Conviction, Imprisonments	1. Dismissed 2. Dismissed

		and Sentence to Death in Capital Case 95CRS5507, 847 from Stanly County	
464P01	Jane A. Wallace v. Board of Trustees, Local Government Employees Retirement System	Plt's PDR Under G.S. § 7A-31 (COA00-767)	Denied
469P01	David C. Hackney and Wife, Sherrie Hackney v. Clegg's Termite and Pest Control, Inc.	Def's PDR Under G.S. § 7A-31	Denied
483A95-2	State v. Darrell Eugene Strickland	Def's PWC to Review the Order of the Superior Court	Denied
492A01	Richard A. Janney, Jr. v. J.W. Jones Lumber Co., Inc. and ABI Companies	Joint Motion to Withdraw Appeal	Allowed
519P01	State v. Elbert Lebron Woodard	1. AG's Petition for Writ of Supersedeas (COA00-1033) 2. AG's Motion for Temporary Stay (COA00-1033) 3. AG's PDR	1. Allowed 2. Allowed 09/14/01 3. Allowed
535A95-3	State v. Jerry Dale Hill	Def's PWC to Review the Order of the Superior Court	Denied
541A01*	State v. Marion Edward Pearson, Jr.	1. Def's Pro Se Motion for Temporary Stay 2. Def's Pro Se Motion for Leave	1. Denied 11/30/01 2. Denied 3. Denied

		to Amend Petition for Appellate Review 3. Def's Pro Se Motion to Withdraw Counsel	
548P01	John W. Lashlee, III and Rebecca Clark Lashlee v. White Consolidated Industries, Inc. and Electrolux Motor AB	Plt's PDR Under G.S. § 7A-31 (COA00-490)	Denied
553P01	Frances K. Henderson, Lindsay Anne Bullock, Seth Bullock, and Kaitlin Stell, minors; Patrick Ryan McDuffy, Minor; and Anne Lamm McDuffy, Minor; by and through their Guardian Ad Litem, Philip R. Isley v. Wachovia Bank of North Carolina, N.A.	Def's PDR Under G.S. § 7A-31 (COA00-610)	Denied
555P01	Lake Mary Limited Partnership v. Hugh W. Johnston and Audrey S. Johnston	1. Plt's PDR Under G.S. § 7A-31 (COA00-837) 2. Defs' PDR Under G.S. § 7A-31 (COA00-837)	1. Denied 11/13/01 2. Denied 11/13/01
556A93-2	State v. William Robert Gray, Jr.	1. Def's PWC to Review the Order of the Superior Court 2. Def's Motion to Stay Proceedings Pending the U.S. Supreme Court's Decision in <i>Mickens v. Taylor</i> , 00- 9285, 2001 WL 348936 (2001)	1. -- 2. Allowed 08/16/01 3. Remanded for Hearing to Determine Whether to Remove Current Counsel and Appoint New Counsel 4. Dismissed

		<p>3. Def's Pro Se Motion to Remove Counsel and Appoint New Counsel</p> <p>4. Def's Pro Se Motion to Delay Ruling</p>	
557A95-2	State v. Wallace Brandon Jones	<p>1. Def's Pro Se PWC to Review the Order of the superior Court</p> <p>2. Def's Pro Se Motion for Appointment of Counsel</p>	<p>1. Denied</p> <p>2. Denied</p>
575P01	Thomas C. Taylor v. Jo Ann Smith Taylor	Plt's PDR Under G.S. § 7A-31 (COA00-554)	Denied
576P01	Sheppard N. Moore v. N.C. Cooperative Extension Service, et al.	<p>1. Def's NOA Based Upon a Constitutional Question (COA00-961)</p> <p>2. Def's PDR Under G.S. § 7A-31 (COA00-961)</p>	<p>1. Dismissed <i>Ex mero motu</i></p> <p>2. Denied</p>
583P01	State v. Randolph Johnson	<p>1. Def's Pro Se PDR Under G.S. § 7A-31 (COA00-1256)</p> <p>2. Def's Pro Se PWC to Review the Decision of the COA (COA00-1256)</p>	<p>1. Denied</p> <p>2. Denied</p>
597P01	State v. Maechel Shawn Patterson	Def's PDR Under G.S. § 7A-31	Denied

		(COA00-484)	
602P01	State v. Aaron Bernard Brown	<p>1. Def's NOA Based Upon a Constitutional Question</p> <p>2. Def's PDR Under G.S. § 7A-31 (COA00-1039)</p> <p>3. AG's Motion To Dismiss</p>	<p>1. --</p> <p>2. Denied</p> <p>3. Allowed</p>
606P01	Jake S. Marcum v. Judith Edwards	Allied Holdings, Inc.'s (Statutory Subrogee) PDR Under G.S. § 7A-31 (COA00-158)	Denied
607P01	<p>In Re: Denial of Request for Full Administrative Hearing as to Complaint No. 97025-1-1 and Appeal of Consent Agreement</p> <p>In Re: Denial of Request for Full Administrative Hearing as to Complaint No. 98009-1-1</p>	Petitioner's (Karen Kelty's) PDR Under G.S. § 7A-31 (COA00-977)	Denied
608P01	State v. Abdul Kareem Rasheed	Def's PWC to review the Decision of the COA (COA00-1143)	Denied
615A01	In the Matter of: John Morrill	<p>1. Respondent's NOA Based Upon a Constitutional Question</p> <p>2. Respondent's Motion for Stay of Appeal</p>	<p>1. --</p> <p>2. Denied</p> <p>3. Allowed</p> <p>4. Denied</p> <p>5. Allowed</p> <p>6. Dismissed as Moot</p>

		<p>3. Respondent's Motion to Proceed <i>In Forma Pauperis</i></p> <p>4. Respondent's Motion for Appointment of Counsel</p> <p>5. AG's Motion to Dismiss</p> <p>6. Respondent's Motion to Deny AG's Motion to Dismiss</p> <p>7. Respondent's Motion to Stay</p>	7. Denied
616P01	State v. Christopher Rashawn Baker	Def's PWC to Review the Decision of the COA (COA00-1214)	Denied
618P01	State v. Keith Oliver Austin	Def's Pro Se PWC to Review the Order of the COA (COAP01-747)	Dismissed
623P01	State v. Mikal Sharif Johnson	<p>1. Def's NOA Based Upon a Constitutional Question (COA00-699)</p> <p>2. Def's PDR Under G.S. § 7A-31 (COA00-699)</p> <p>3. AG's Motion to Dismiss Appeal</p>	<p>1. --</p> <p>2. Denied</p> <p>3. Allowed</p>
625P01	In the Matter of D.D.	<p>1. Juvenile Appellant's NOA (COA00-947)</p> <p>2. Juvenile Appellant's PDR</p>	<p>1. --</p> <p>2. Denied</p> <p>3. Allowed</p>

		Under G.S. § 7A-31 (COA00-947) 3. AG's Motion to Dismiss Appeal	
627P01	State v. Charles Robert Petralia	Def's Pro Se Petition for Writ of Mandamus	Denied
629P01	State v. John Edward Butler	1. Def's Pro Se PWC to Review the Order of the Superior Court 2. Def's Pro Se Motion to Proceed in Forma Pauperis 3. Def's Pro Se Motion for Appointment of Counsel	1. Denied 2. Allowed 3. Denied
630P01	State v. Christopher Dale Bowers	1. Def's Pro Se PDR Under G.S. § 7A-31 (COA00-1081) 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Denied 2. Allowed
631P01	State v. Sherman Evans	1. Def's Pro Se Motion to Proceed in Forma Pauperis 2. Def's Pro Se PWC to Review the Order of the COA 3. Def's Pro Se Motion for Appointment of Counsel	1. Allowed 2. Dismissed 3. Denied
632P01	State v. Anthony Trusell	1. Def's Pro Se PWC to Review the Decision of	1. Denied

		<p>the COA (COA99-1284)</p> <p>2. Def's Pro Se PWC to Review the Order of the Superior Court</p> <p>3. Def's Pro Se Motion for Appointment of Counsel</p>	<p>2. Dismissed</p> <p>3. Denied</p>
633P01	Bro. Gray Lewis Miller El (Moorish American Moslem) v. State of N.C. Dept. of Correction et al	Petitioner's Petition for Writ of Mandamus	Denied
637P01*	State v. Cindy Hammer Stevenson Barber	<p>1. AG's Motion for Temporary Stay (COA00-895)</p> <p>2. AG's Petition for Writ of Supersedeas (COA00-895)</p>	<p>1. Allowed Pending Determination of the State's PDR 11/21/01</p> <p>2.</p>
648P01*	In the Matter of the Estate of Edd Dudley Monk	<p>1. Respondent's (Mainor and Southerland) Motion for Temporary Stay</p> <p>2. Respondent's (Mainor and Southerland) Petition for Writ of Supersedeas</p> <p>3. Respondent's (Mainor and Southerland) Petition for Discretionary Review Under G.S. § 7A-31 (COA00-1244)</p>	<p>1. Allowed 11/26/01</p> <p>2.</p> <p>3. Butterfield, J. Recused</p>
663A01*	State v. Antoine Lamont Morris	1. AG's Motion for Temporary Stay	1. Allowed 12/10/01

		2. AG's Petition for Writ of Supersedeas	2.
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