

# SUPREME COURT OF NORTH CAROLINA

## Docket Sheet

### State v Lester Gerard Packingham

**Case Number:** 366PA13  
**As of:** 11/28/2020  
**Case Closed:** Yes      **Close Date:** 11-30-2015      **Case Type:** Criminal (Crim\_othr)

STATE OF NORTH CAROLINA

v

LESTER GERARD PACKINGHAM

**Docket Date:** 08-23-2013    **Acquired Date:** 08-23-2013  
**Bond Collected:** No      **Docket Fee:** No      **Pauper:** Yes      **Rule 16b:** No

**History**

**Venue:** Durham (14)    **Previous Venue:** N.C. Court of Appeals (200)

**Lower Court Number(s)**

Location: N.C. Court of Appeals (200)  
 Judge: Rick Elmore  
 Case #: 12-1287

Location: Durham (14)  
 Judge: William O. Smith III  
 Case #: 10CRS57148

**Tracking/Argue**

Argue Date: 09-08-2014 #

**Opinion**

**Opinion Date:** 11-06-2015    **Cert Date:** 11-30-2015  
**Author:** Honorable Robert H. Edmunds, Jr.  
**Decision:** Reversed  
**Opinion Notes:** Hudson, J dissenting with Beasley, J joining in this dissenting opinion Ervin, J did not participate in the consideration or decision of this case  
**Opinion Pages:** 35      **Opinion Cost:** \$ 7.00  
**Cite:** 368 NC 380  
**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=1&pdf=33675>

**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) M-TEMP-STAY	08-23-2013						Allowed	08-26-2013

(2) PWS	08-23-2013						Allowed	11-07-2013
(3) NA-CQ-MD	09-24-2013						Dismissed	11-07-2013
(4) PDR	09-24-2013			10-02-2013	10-07-2013		Allowed	11-07-2013
(5) M-DSSAPP	10-02-2013						Allowed	11-07-2013
(6) M-EXT-BR	11-26-2013						Allowed	12-02-2013
(7) APPELLANT BRIEF	01-13-2014					01-16-2014		
(8) M-EXT-BR	01-17-2014						Allowed	01-17-2014
(9) APPELLEE BRIEF	03-14-2014					03-18-2014		
(10) ADD-AUTH	09-03-2014							
(11) ADD-AUTH	11-26-2014							
(12) M-GEN	10-09-2015						Allowed	11-05-2015
(13) M-GEN	10-09-2015						Allowed	11-05-2015
(14) COURT ORDER	07-27-2017						Special Order	07-27-2017

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1 - M-TEMP-STAY (Allowed) - 08-26-2013  
 Filed: 08-23-2013 @ 11:15:49  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

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2 - PWS (Allowed) - 11-07-2013  
 Filed: 08-23-2013 @ 11:04:22  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

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3 - NA-CQ-MD (Dismissed) - 11-07-2013  
 Filed: 09-24-2013 @ 09:20:26  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

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4 - PDR (Allowed) - 11-07-2013  
 Filed: 09-24-2013 @ 07:52:17  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

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RESPONSE TO PDR  
 Filed: 10-02-2013  
 BY : Mr. G. Glenn Gerding  
 LAW OFFICE OF GLENN GERDING

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5 - M-DSSAPP (Allowed) - 11-07-2013  
 Filed: 10-02-2013 @ 11:15:50  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

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6 - M-EXT-BR (Allowed) - 12-02-2013  
 Filed: 11-26-2013 @ 13:01:31  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

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7 - APPELLANT BRIEF  
 Filed: 01-13-2014 @ 10:10:01  
 FOR: Plaintiff-Appellant State of North Carolina  
 BY : Ms. Anne M. Middleton  
 N.C. DEPARTMENT OF JUSTICE

8 - M-EXT-BR (Allowed) - 01-17-2014  
 Filed: 01-17-2014 @ 10:52:06  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

9 - APPELLEE BRIEF  
 Filed: 03-14-2014 @ 15:24:12  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

10 - MEMOS ADD-AUTH  
 Filed: 09-03-2014 @ 16:28:27  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

11 - MEMOS ADD-AUTH  
 Filed: 11-26-2014 @ 12:36:55  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

12 - MOTION TO WITHDRAW AS PRIVATE ASSIGNED COUNSEL (Allowed) - 11-05-2015  
 Filed: 10-09-2015 @ 14:43:11  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

13 - MOTION TO APPOINT THE APPELLATE DEFENDER (Allowed) - 11-05-2015  
 Filed: 10-09-2015 @ 15:48:56  
 FOR: Defendant-Appellee Packingham, Lester Gerard  
 BY : Mr. G. Glenn Gerding  
 N.C. APPELLATE DEFENDERS OFFICE

14 - CT\_ORDER COURT ORDER (Special Order) - 07-27-2017  
 Filed: 07-27-2017 @ 11:13:20  
 FOR:  
 BY : N.C. Supreme Court

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
10-07-2013	Printing	257.25	257.25	PETITION	147	R111004913	11-20-2013
01-16-2014	Printing	96.25	96.25	APPELLANT BRIEF	55	R021005914	02-20-2014
03-18-2014	Printing	127.75	127.75	APPELLEE BRIEF	73	R071002214	07-11-2014
	Assess	362.50	0.00				

#### Payments

Payment Date	Payment Type	Amount	Check Number
	Disburse	353.50	0

#### Parties

Party Name	Role
State of North Carolina	Plaintiff-Appellant

Packingham, Lester Gerard

Defendant-Appellee

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**Attorneys**

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**Attorney for Defendant-Appellee - Packingham, Lester Gerard**

[Mr. G. Glenn Gerding] [Primary Attorney] [Signed Brief]

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[Mr. David L. Elliott] [Primary Attorney] [Signed Brief]

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**Attorney for -**

N.C. Supreme Court [Primary Attorney]

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