An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA 26-113

Filed 18 November 2026

Mecklenburg County, No. 22CR332858-590

STATE OF NORTH CAROLINA

v.

MAURICE EMMANUEL HOUSE, Defendant.

Appeal by defendant from judgment entered 13 March 2025 by Judge Alan Z. Thornburg in Mecklenburg County Superior Court. Heard in the Court of Appeals 1 October 2026.

Attorney General Jeff Jackson, by Assistant Attorney General Abe S. Eichner, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender Aaron Thomas Johnson, for defendant-appellant.

DILLON, Chief Judge.

Defendant Maurice E. House appeals from a judgment entered upon his plea of guilty to possession of a firearm by a felon under N.C.G.S. § 14-415.1(a). He entered his guilty plea after the trial court denied his motion to dismiss the charge on constitutional grounds. Defendant, alternatively, petitions this Court for a writ of

certiorari to review his conviction.

After a guilty plea, there is no statutory right to appeal the denial of a pretrial motion to dismiss. *See* N.C.G.S. § 15A-1444. Appellate review of such claims remains available only by writ of certiorari. N.C. R. App. P. 21.

"When contemplating whether to issue a writ of certiorari, our state's appellate courts must consider a two-factor test. That test examines (1) the likelihood that the case has merit or that error was committed below and (2) whether there are extraordinary circumstances that justify issuing the writ." *Cryan v. YMCA*, 384 N.C. 569, 570 (2023). The writ of certiorari "is intended as an extraordinary remedial writ to correct errors of law." *Id.* at 572 (citations omitted).

In regard to the second factor, "[t]here is no fixed list of 'extraordinary circumstances' that warrant certiorari review, but this factor generally requires a showing of substantial harm, considerable waste of judicial resources, or 'wide-reaching issues of justice and liberty at stake.' " *Id.* at 573 (citation omitted). "Ultimately, the decision to issue a writ of certiorari rests in the sound discretion of the presiding court." *Id.* (citation omitted).

The issue of the constitutionality of Section 14-415.1(a) has been decided both facially and as-applied to a felony, whether violent or non-violent, *and* under both our state and federal constitutions. *See*, *e.g.*, *State v. Nanes*, 297 N.C. App. 863, 870 (2025); *State v. Ducker*, 298 N.C. App. 759, 770 (2025).

Accordingly, we deny Defendant's petition for writ of certiorari.

DISMISSED.

Judges HAMPSON and GORE concur.

Report per Rule 30(e).