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SUPREME COURT OF NORTH CAROLINA

PETITIONS

7 February 1997

2P97	State v. Williams	Def's PDR	Denied
3P97	Roberts v. First Citizens Bank & Trust	(1) Def's Motion for Temporary Stay (2) Def's Petition for Writ (3) Def's PDR (4) NCCBI's Motion to File Amicus Brief	(1) Allowed 1/3/97 (2) Allowed (3) Allowed (4) Allowed
7P97*	State v. Dexter Harris	(1) Def's Petition for Writ of Supersedeas (2) Def's Motion for Temporary Stay (3) Def's Petition for Writ of Certiorari	(1) Denied 1/6/97 (2) Denied 1/6/97 (3) Denied 1/6/97
8P97	State v. Robert Moores	(1) Def's (Pro Se) NOA Constitutional Question) (2) AG's Motion to Dismiss Appeal for Lack of Substantial	(1) (2) Allowed

		Constitutional Question	
11A97	State v. Sloan	(1) Def's NOA (Dissent) (2) Def's PDR Under G.S. 7A-31	Denied
12P97	Onslow County v. Moore	Def's PDR	Denied
13P97	Nolan v. Forsyth Memorial Hospital, Inc.	Def's PDR Under G.S. 7A-31	Denied
15P97	Johnston v. Williams	Plt's PDR Under G.S. 7A-31	Denied
16P97	Parkwood Association, Inc., et al. v. City of Durham	Pets' (Parkwood Assn. et al.) PDR Under G.S. 7A-31	Denied
21P97*	Childress v. NC Department of Human Resources	Petitioner's (Elizabeth Childress) Motion for Extension of Time to File PDR	See separate order filed 1/28/97.
22P97	State v. Surles	Def's (Pro Se) Petition for Writ of Certiorari	Denied
26P97	State v. Sadler	(1) Def's (Pro Se) Petition for Writ of Habeas Corpus (2) Def's (Pro Se) Motion to Proceed in forma pauperis	(1) Dismissed 1/21/97 (2) Dismissed 1/21/97
27P97*	Bingham, et al. v. Finan, et al.	(1) Defs' (Pro Se) Motion for Temporary Stay (2) Defs' (Pro Se) Petition for Writ of Supersedeas	(1) Denied 1/17/97 (2) Denied 1/17/97

		(3) Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA	(3) Denied 1/17/97
28P97	Dunkley v. Shoemate, et al.	(1) Plt's Pet. for Writ of of Cert. to Review Order of NC COA (2) Plt's Petition for Writ of Supersedeas	(1) Allowed (2) Allowed
36P97	The Home Indemnity Company, et al. v. Hoechst Celanese Corp., et al.	(1) Plts' PDR Prior to Determination (2) Plts' Motion for Emergency Relief and Expedited Hearing	(1) Denied 1/27/97 (2) Denied 1/27/97
41P97*	State v. Robert Moores	(1) Def's Motion for Temporary Stay (2) Def's Petition for Writ of Supersedeas	(1) Denied 1/24/97 (2) Denied 1/24/97
51P97*	State v. Boychuck	Pets' Motion for Stay of Order Pending Petition	Denied
54P97*	Wilmington Star-News, Inc., et al. v. New Hanover Regional Medical Center v. PHP, Inc.	(1) Third-Party Resp's (PHP, Inc.) Motion for Temporary Stay (2) Third-Party Resp's (PHP, Inc.) Petition for Writ of Supersedeas	(1) Allowed (2)
143A95	State v. Charles Bond	Def's Petition for Rehearing or	Denied

		Reconsideration Under Rule 2	1/7/97
198A95*	State v. Fernandez	Def's Motion to Amend Record	Allowed 1/3/97
236A96	Professional Liability Consultants, Inc. v. Todd and Insurance Management Consultants, Inc.	(1) Plt's Petition for Rehearing (2) NC Associated Industries' Motion for Leave to File Amicus Brief in Support of Petition for Rehearing	(1) Denied (2) Denied
248P96	State v. Woodard	Def's (Pro Se) Motion for Reconsideration of Order Denying Pet. for Writ of Certiorari	Denied
280P96	State Farm Mut. Ins. Co. v. Young, et al.	Plt's PDR Under G.S. 7A-31	Denied
295P95	Sanhueza v. Liberty Steel and Michigan Mutual Ins. Co.	Def's PDR Under G.S. 7A-31	Denied
306P96	State v. Tribble	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
317PA96*	NC Steel Ins. et al. v. National Council on Compensation Ins. et al.	Plts' Motion for Extension of Time to File Brief	Allowed 12/10/96
31A93-2	State v. Taylor	(1) Def's Petition for Writ of Supersedeas (2) Def's Petition for Writ of Certiorari to Review Superior Court Order	(1) Denied See separate order. (2) Denied See separate order.
325P96	State v. Blevins	Def's PDR Under G.S. 7A-31	Denied

329PA96	Presbyterian-Orthopaedic Hosp. v. NC Dep't of Human Resources and Mercy Hosp. and Stanly Memorial Hosp.	Resp's (NC Department of Human Resources) Motion to File Supplemental Brief	Allowed
336P96	Murray v. Nationwide Mutual Insurance Co., State Farm Ins. Co. and US Liability Ins. Co.	(1) Def's (Nationwide) PDR Under G.S. 7A-31 (2) Defs' (State Farm and US Liability) PDR Under G.S. 7A-31	(1) Denied (2) Denied
339P96	State v. Price	Def's (Pro Se) Motion for Reconsideration of Denied Pet. for Writ of Cert.	Dismissed
345P96	Miller v. Brooks, et al.	Def's PDR Under G.S. 7A-31	Denied
357A95	State v. Jones	Def's Motion to Amend Record on Appeal	Allowed 1/3/97
358P96	In the Matter of: The Appeal of Camel City Laundry Company	Pet's (Cambel City Laundry Company) PDR Under G.S. 7A-31	Denied
365PA96	Young v. Mastrom, Inc., et al.	Plts' Motion for Order to Show Cause	Dismissed
370P96	State v. Owens	Def's PDR Under G.S. 7A-31	Denied
374P96	State v. E.Z. Bell	Def's (Pro Se) Pet. for Writ of Cert. to Review Superior Court Order	Denied
378P96	McAninch v. Buncombe Co. Schools and Self Insured	Def's Petition fro Writ of Certiorari to Review Opinion of NC COA	Allowed
381P96	State v. Allison	Def's (Pro Se) Pet. for Writ of Cert. to	Denied

		Review Order of NC COA	
384A95	State v. James David Rich	(1) Def's Motion to Unseal Records Previously Sealed for Appellate Review (2) Def's Second Motion to Amend Record on Appeal	(1) Denied 12/17/96 (2) Allowed 12/17/96
385A96	County of Onslow v. Phillips	(1) Plt's (Onslow Co.) NOA (Dissent) (2) Plt's (Onslow Co.) NOA (Constitutional Question) (3) Plt's (Onslow Co.) PDR as to Additional Issues (4) NC Association of County Commissioners' Motion for LEave to File Amicus Curiae Brief	(1) (2) Dismissed <i>ex mero motu</i> (3) Denied (4) Allowed
388A96	Smallwood, et al. v. Eason, et al.	(1) Plts' Motion to Permit Filing New Brief After Expiration of Time (2) Defs' Motion to Dismiss Appeal	(1) Allowed (2) Denied
394P96	Carlson v. Branch Banking and Trust Company	Plt's PDR Under G.S. 7A-31 JUSTICE WEBB RECUSED	Denied

400P96	Lee v. Mills Manufacturing Corp., Self-Insured, and/or Graham Care Center, NC Farm Bureau Mutual Ins. Co.	(1) Defs' (Graham Care Center & NC Farm Bureau) PDR Under G.S. 7A-31 (2) Defs' (Graham Care Center and NC Farm Bureau) Motion to Strike Response to PDR	(1) Denied (2) Denied
409P96	Cross v. Residential Support Services, Inc., et al.	Def's (Mecklenburg County) PDR Under G.S. 7A-31	Remanded to the COA for consideration in light of <i>Lyles v. City of Charlotte</i> .
410P96	State v. Stewart	Def's PDR Under G.S. 7A-31	Denied
412P96	MacLagan v. Klein	(1) Plt's NOA (Constit. ?) (2) Plt's PDR Under G.S. 7A-31 (3) Def's Motion to Dismiss Appeal for Lack of Substantial Constitutional Question (4) Def's Motion for Expedited Decision	(1) (2) Denied (3) Allowed (4) Dismissed as moot
431A96	Town of Spruce Pine v. Avery County, and Avery County Board of Commissioners, v. NC Env. Management Commission, et al.	Def's (Avery Co.) Motion to Withdraw as Counsel and Substitute Douglas L. Hall, Esq., as Attorney of Record for Avery County	Allowed 12/23/96

431A96	Town of Spruce Pine, et al. v. Avery County, et al. v. NC Env. Management Commission	Conservation Council of North Carolina's Motion for Leave to File Amicus Curiae Brief	Allowed
439PA95	Lyles v. City of Charlotte and Motorola	Plt's Petition for Rehearing	Denied
445P96	Community Service of the Carolina's, Inc. v. Freeman, and the NC Dept. of Correction	Def's PDR Under G.S. 7A-31	Denied
456P96	Hemmings v. Green	Plt's PDR	Denied
457P96	State v. Hasty	Def's PDR Under G.S. 7A-31	Denied
458P96	Bring v. NC State Bar	Pet's (Bring) PDR Prior to Determination	Denied
459P96	Daughtry v. Castleberry	Plts' Petition for Writ of Certiorari to Review Decision of NC COA	Allowed
466P96	State v. Long	(1) Def's PDR Under G.S. 7A-31 (2) Def's Pet. for Writ of Cert. to Review Decision of NC COA	(1) Denied (2) Denied
467P96	State v. Foreman	Def's Pet. for Writ of Cert. to Review Superior Court Order	Dismissed
469P96	State v. Ellison	Def's (Pro Se) Petition for Writ of Certiorari to Review Decision of NC COA	Denied
472P96	Lamica v. Musselwhite	Plt's (Pro Se) Petition for Writ of Cert. to Review Order of NC COA	Denied
473P96	State v. Johnson	Def's PDR Under G.S. 7A-31	Denied
477P96	Smith v. Moody	(1) Plt's (Pro Se) Petition for Writ of	(1) Denied

		Certiorari to Review Decision from NC COA (2) Plt's (Pro Se) Motion for Substitution of Parties	(2) Denied
479P96	State v. Mitchell	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
480P96	Houston, et al. v. Douglas, M.D., et al	Def's (Erdman) PDR Under G.S. 7A-31	Denied
482P96	Joseph Kisiah v. W.R. Kisiah Plumbing, Inc. and Self-Insured	Def's (W.R. Kisiah Plumbing, Inc.) PDR Under G.S. 7A-31	Denied
483A95	State v. Darrell Eugene Strickland	Def's Motion to Amend Record on Appeal	Allowed 12/17/96
486P96	Nicholson v. American Safety Utility Corporation, Duke Power Company and North Hand Protection, a division of Siebe North, Inc., Siebe North Holdings Corp., Siebe, Inc., Siebe Industries, Inc., and Siebe PLC	(1) Def's (Siebe North, Inc.) PDR Under G.S. 7A-31 (2) Def's (American Safety Utility) PDR Under G.S. 7A-31 (3) NC Asso. of Defense Attys' Motion for Leave to File Amicus Brief in Support of PDR (4) Hutson's and Miskimon's Motion for Leave to File Amicus Curiae Brief in Support of PDR	(1) Allowed (2) Allowed (3) Allowed (4) Allowed
487P96	State v. Robert L. Davis	(1) Def's NOA (Const. ?)	(1) (2) Denied

		(2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal and PDR, or Alternatively, Request that Discretionary Review be Denied	(3) Allowed
488P96	Wilson and Westbrook v. Robert Sutton, et al.	Defs' (Robert Sutton and Robert Sutton Motors, Inc.) PDR Under G.S. 7A-31	Denied
490P96	Henderson v. USF&G, et al.	(1) Plts' PDR Under G.S. 7A-31 (2) Plts' Motion to Amend PDR	(1) Allowed (2) Allowed
491P96	Vieregge v. NCSU and Self-Insured	Plt's PDR Under G.S. 7A-31	Denied
492P96	State v. Hendrickson	(1) Def's NOA (Const. ?) (2) Def's PDR Under G.S. 7A-31	(1) Retained (2) Allowed
493P96	King v. Yeargin Construction Co. et al.	Defs' PDR	Denied
494P96	Saums v. Raleigh Community Hospital	Plt's Pet. for Writ of Cert. to Review Decision of NC COA	Allowed
498A96	In re: Inquiry Concerning a Judge, No. 194 Susan O. Renfer, Respondent	(1) Pet's Amended Motion for Admission <i>Pro Hac Vice</i> of John G. Stepanovich (2) Pet's Amended Motion for Admission	(1) Allowed 1/23/97 (2) Allowed 1/23/97

		<i>Pro Hac Vice</i> of Jay Alan Sekulow	
498A96*	In re: Susan D. Renfer	(1) Resp's (Renfer) Motion for Admission <i>Pro Hac Vice</i> (Sekulow) (2) Resp's (Renfer) Motion for Admission <i>Pro Hac Vice</i> (Stepanovich) (3) Resp's (Renfer) Motion for Admission <i>Pro Hac Vice</i> (Crain) (4) Resp's (Renfer) Motion for Admission <i>Pro Hac Vice</i> (Greber)	(1) Denied 12/20/96 (2) Denied 12/20/96 (3) Allowed 12/20/96 (4) Allowed 12/20/96
499PA96	Pulliam v. Smith	(1) Def's Motion for Reconsideration and Modification Pursuant to Rule 37(b) (2) Def's Motion for Entry of Consent Order	(1) Denied 1/6/97 (2) Denied 1/6/97
501P96	State v. Holloway	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
502P96	Mid-State Oil Co. v. Walton	Defs' PDR	Denied
506P96	State v. Boychuk In re: The News & Observer Publishing Co., et al.	Pets' (In re: The N & O Publishing Co., et al.) Petition for Writ of Certiorari to Review Superior Court Order	Denied 1/7/97
507A96	State v. Farley	(1) Def's NOA (Const. ?)	(1) (2) Allowed

		(2) AG's Motion to Dismiss	
508P96	State v. Evans	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
509P96	State v. Facon	Def's PDR Under G.S. 7A-31	Denied
511P96*	Charlie Thomas Rivers v. NC State Bar, et al.	Pet's (Pro Se) Petition for Writ of Mandamus	Dismissed 12/23/96
513P96	State v. Rogers	Def's PDR Under G.S. 7A-31	Denied
515P96	State v. Curry	(1) Def's (Pro Se) Pet. for Writ of Cert. to Review Decision of NC COA (2) Def's (Pro Se) PDR Under G.S. 7A-31	(1) Denied (2) Denied
520P96	Shearin v. State Farm Fire & Casualty Company	Plts' PDR Under G.S. 7A-31	Denied
521P96	King, et al. v. Weavil	Def's PDR Under G.S. 7A-31	Denied
522P96	Roy Burt Enterprises, Inc. v. Marsh	Def's PDR Under G.S. 7A-31	Denied
525P96	Emerson Phares Lumber Co., Inc. v. Tim Gosha	Plt's PDR	Denied
526P96	St. Paul Fire & Marine Ins. v. NC Motor Vehicle Reinsurance	Pet's PDR	Denied
527P96	Computer Decisions, Inc. v. Rouse Office Mgmt. of NC, et al.	Plt's PDR	Denied
529P96	Foster v. Suter	Plts' PDR Under G.S. 7A-31	Denied
531PA95*	Pleasant Valley Promenade v. Lechmere, Inc. et al.	Parties' Joint Motion to Withdraw Petitions for Discretionary Review	The above motion is treated as a Petition to Withdraw

			Appeal and is Allowed. 12/10/96
531P96	State v. Alphonzo Linn Leach, II	Def's (Pro Se) Motion for Appropriate Relief	Dismissed w/out prejudice to def's right to file in the trial court.
532P96	Hoffman v. Freeman	Plt's (Pro Se) Petition for Habeas Corpus	Denied 1/7/97
533P96*	State v. Chavis	Def's (Pro Se) Petition for Habeas Corpus	Denied 1/3/97
535P96	State v. Florence Amelia Smith	(1) Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA (2) Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA (3) Def's (Pro Se) Motion for Temporary Stay (4) AG's Motion to Dismiss	(1) Denied (2) Denied (3) Denied (4) Allowed
535P96	State v. Florence Amelia Smith	(1) Def's (Pro Se) Motion to Withdraw First Petition for Writ of Cert. (i.e. Interlocutory NOA)	(1) Allowed (2) Denied (3) Denied (4) Denied

		(2) Def's (Pro Se) Motion for Appointment of Counsel (3) Def's (Pro Se) Motion for Extension of Time to File Brief (4) Def's (Pro Se) "Objection to Proceeding Without Attorney and Counselor at Law"	
536P96	State v. Lovelace	Def's (Pro Se) Motion for Appropriate Relief	Denied
537P96	State v. Oldham	Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA	Dismissed
538P96	State v. Lunsford	Def's (Pro Se) Petition for Writ of Certiorari	Denied
540P96	CCB & Trust Co. v. Wright, et al.	Resp's (Greer, Cone) PDR Under G.S. 7A-31	Denied
541P96	State v. Moyer	Def's (Pro Se) Pet. for Writ of Cert. to Review Order of NC COA	Denied
543P96	State v. Provost	(1) Def's PDR Under G.S. 7A-31 (2) Def's Motion to Amend Record	(1) Denied (2) Denied
544P96	State v. Johnny Lee	Def's Pet. for Writ of Cert. of Review Superior Court Order	Allowed
546P96	Tri-Cities Door Corp. v. Parnacher	Def's PDR Under G.S. 7A-31	Denied

549P96	Humphries v. NC Dept. of Correction	Plts' PDR Under G.S. 7A-31	Allowed
550P96	Morris v. Decato Brothers, Inc.	Def's PDR Under G.S. 7A-31	Denied
551P96	Bartlett v. Jacobs	Def's PDR Under G.S. 7A-31	Denied
553P96	State v. Cyrus Smith	(1) Def's NOA (2) Def's PDR	(1) Dismissed <i>ex mero motu</i> (2) Denied
556P96	Retirement Villages, Inc. v. NC Dept. of Human Res., Div. of Facility Services, and Beaver Properties/Wallace, Inc.	(1) Intervenor-Respondents' (Beaver Properties, et al.) PDR Under G.S. 7A-31 (2) Intervenor-Respondents' Motion to Withdraw PDR	(1) (2) Allowed 1/28/97
561P96	State v. Singletary, aka Kenneth Black	Def's (Pro Se) Petition for Writ of Mandamus	Denied
70A86-4	State v. Allen	Def's Petition for Writ of Certiorari	Denied
94A94-2	State v. Randy Atkins	Def's Pet. for Writ of Cert. to Review Superior Court Order	Denied 1/15/97
120A92-3	State v. Kenneth Rouse	Def's Motion for Stay of Execution	Allowed 1/13/97
120A92-3	State v. Kenneth Rouse	Def's Motion for Extension of Time to File Petition for Writ of Certiorari	Allowed 12/23/96
121A92-2	State v. Pickens, Jr.	Def's Motion to Amend Record on Appeal	Denied

121A92-2	State v. Pickens, Jr.	(1) Def's Motion to Supplement & Modify Record on Appeal (2) Def's Motion to Further Modify Record on Appeal	(1) Allowed 1/16/97 (2) Denied 1/16/97
148A91-2*	State v. Steven McHone	Def's Motion for Extension of Time to File Pet. for Writ of Cert.	Allowed 12/19/96
209A91-2	State v. Bacon, Jr.	Def's Pet. for Writ of Cert. to Review Superior Court Order	Denied
374A86-3	State v. Sanderson	Def's Motion to File Supplemental Brief	Allowed
412A93-3	State v. Daughtry	Def's Petition for Writ of Cert. to Review Superior Court Order	Denied
417A95-2	State v. Munsey	(1) Def's Motion for Appropriate Relief (2) Def's Motion to Permit Reply to State's Response to Def's Motion for Appropriate Relief	(1) Denied (2) Denied

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