

SUPREME COURT OF NORTH CAROLINA

PETITIONS

5 March 2015

001P11-2	State v. Lacy Lee Williams, Jr.	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 02/09/2015
002P15	State v. Tremayne Antoine Lynch	Def's PDR Under N.C.G.S. § 7A-31	Denied
003P15	Eric Tucker v. Fayetteville State University and James A. Anderson, Chancellor	Plt's PDR Under N.C.G.S. § 7A-31 (COA14-178)	Denied

005P15	Commscope Credit Union v. Butler & Burke, LLP, a North Carolina Limited Liability Partnership v. Barry D. Graham, James L. Wright, Ed Dutton, Frank Gentry, GERAL HOLLAR, Joe Cresimore, Mark Honeycutt, Rose Sipe, Todd Pope, Jason Cushing, and Scott Saunders	<p>1. Def/Third-Party Plt's PDR (COA14-273)</p> <p>2. Motion of the N.C. Association of Certified Public Accountants and the American Institute of Certified Public Accountants for Leave to File <i>Amicus Curiae</i> Brief</p> <p>3. Motion by Cherry Bekaert LLP, and CliftonLarsonAllen LLP and Dixon Hughes Goodman LLP for Leave to File <i>Amicus Curiae</i> Brief in Support of Def/Butler & Burke, LLP</p> <p>4. Motion by the N.C. Chamber for Leave to File Brief <i>Amicus Curiae</i></p> <p>5. Motion by the National Association of State Boards of Accountancy for Leave to File <i>Amicus Curiae</i> Brief</p>	<p>1. Allowed</p> <p>2. Dismissed as moot</p> <p>3. Allowed</p> <p>4. Dismissed as moot</p> <p>5. Dismissed as moot</p> <p>Beasley, J., recused</p>
--------	--	--	--

007P15	State v. Christopher W. Oden	Def's <i>Pro Se</i> PWC to Review Order of COA (COAP14-222)	Dismissed
009A14	Tovar-Mauricio, et al. v. T.R. Driscoll, Inc., et al.	1. Motion to Withdraw as Counsel 2. Motion to Substitute Counsel	1. Allowed 2. Allowed
013P15	George T. Powell, Jr. v. George R. Brown, Penny R. Powers, Robert E. Rousseau, and Shafic Androas	Plt's <i>Pro Se</i> Motion for Notice of Appeal	Dismiss <i>ex mero motu</i>
017P15	Philip J. Mohr, as Administrator of the Estate of Sam Monroe Matthews v. John C. Matthews, Gloria Matthews, and Joby Matthews	Plt's PDR Under N.C.G.S. § 7A-31 (COA14-271)	Denied
018P15	State v. Jose Valverre-Liborio	Def's <i>Pro Se</i> Motion for PDR (COA09-296)	Denied
019P15	State v. Henry Ford Adkins	Def's <i>Pro Se</i> Petition for Writ of <i>Certiorari</i> to Review Order of COA (COAP14-978)	Dismissed

021P15	State v. Leon M. Knight, Jr.	<p>1. Def's <i>Pro Se</i> Petition for Writ of <i>Certiorari</i> to Review Order of Superior Court of Pasquotank County</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Dismissed as moot</p>
022PA14	Thomas C. Wetherington v. N.C. Department of Crime Control and Public Safety; North Carolina Highway Patrol	<p>1. State's Motion for Consolidation</p> <p>2. State's Motion to Amend Certificate of Service for Notice of Appearance and Motion to Consolidate</p> <p>3. Respondent's Motion to Substitute Party</p> <p>4. State's Motion to Appear</p>	<p>1. Denied</p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. Denied</p> <p>Ervin, J., recused</p>
023P15	State v. Jackie Emmitt Moorehead	<p>1. Def's <i>Pro Se</i> PWC to Review Order of Superior Court of Halifax County</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. Dismissed as moot</p>

030P15	State v. Crystal Ann Sitosky	<p>1. State's Motion for Temporary Stay</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31 (COA14-639)</p>	<p>1. Allowed 01/20/2015 Dissolved 03/05/2015</p> <p>2. Denied</p> <p>3. Denied</p>
031P15	<p>State v. Anthony Dominick A. Figurelli</p> <p>and</p> <p>State v. Stephen Marshall Sarday</p>	<p>1. Def Sarday's Motion for Temporary Stay</p> <p>2. Def Sarday's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def Sarday's Notice of Appeal Based Upon a Constitutional Question (COA14-483)</p> <p>4. Def. Sarday's PDR Under N.C.G.S. § 7A-31</p> <p>5. State's Motion to Dismiss Def. Sarday's Notice of Appeal</p> <p>6. Def Figurelli's Motion for Temporary Stay</p>	<p>1. Allowed 01/20/2015 Dissolved 03/05/2015</p> <p>2. Denied</p> <p>3. ---</p> <p>4. Denied</p> <p>5. Allowed</p> <p>6. Allowed 01/27/2015 Dissolved 03/05/2015</p>

		7. Def Figurelli's Petition for <i>Writ of Supersedeas</i> (COA14-483) 8. Def Figurelli's Notice of Appeal Based Upon a Constitutional Question 9. Def Figurelli's PDR Under 7A-31 10. State's Motion to Dismiss Def Figurelli's Notice of Appeal	7. Denied 8. --- 9. Denied 10. Allowed
035P15	State v. Charles Michael Lightsey	Def's PDR Under N.C.G.S. § 7A-31 (COA14-576)	Denied
041P15	State v. William Antwain Patterson	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA14-618)	Denied
049A15	State v. Shawn Adrian Pendergraft	1. Def's NOA Based Upon a Dissent (COA14-39) 2. Def's PDR as to Additional Issues	1. --- 2. Denied Ervin, J., recused
049PA14	State v. James Kevin Moir	Def's Motion to Substitute Counsel	Allowed 01/29/2015
050P15	State v. Aaron Murdock Suggs	Def's <i>Pro Se</i> Motion to Vacate Sentence	Dismissed

053P15	State v. Margaret K. Sewell	<p>1. State's Motion for Temporary Stay (COA14-269)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 2/04/2015 Dissolved 03/05/2015</p> <p>2. Denied</p> <p>3. Denied</p>
065P15	State v. Keith Antonio Barnett	<p>1. State's Motion for Temporary Stay (COA14-447)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 02/06/2015</p> <p>2.</p> <p>3.</p> <p>Beasley, J., recused</p>
067P15	State v. Leroy Phillips	Def's <i>Pro Se</i> Motion for PDR of the Decision of the COA	Dismissed

068P15	Sampson County Board of Education v. Andrew T. Heath, in his official capacity as Chair of the North Carolina Industrial Commission	<p>1. Plt's Motion for Temporary Stay</p> <p>2. Plt's Petition for <i>Writ of Supersedeas</i></p> <p>3. Plt's PDR</p> <p>4. Plt's Motion to Amend Title of "Amended PDR Under N.C. Gen Stat § 7A-31(c) and Petition for <i>Writ of Supersedeas</i> and Motion to Stay" to Petition for Writ of <i>Certiorari</i>, Petition for <i>Writ of Supersedeas</i> and Motion to Stay"</p> <p>5. Motion to Admit Diane Marger Moore <i>Pro Hac Vice</i></p> <p>6. Def's Motion to Withdraw Amended PDR, Petition for <i>Writ of Supersedeas</i>, and Motion for Temporary Stay</p>	<p>1. Allowed 02/10/2015 Dissolved 03/02/2015</p> <p>2. ---</p> <p>3. ---</p> <p>4. Allowed 02/11/2015</p> <p>5. Allowed 02/19/2015</p> <p>6. Allowed 03/02/2015</p>
--------	---	---	---

077P15	In the Matter of: M.G. and H.G.	1. Petitioner's Motion for Temporary Stay (COA14-934) 2. Petitioner's Petition for <i>Writ of Supersedeas</i> 3. Petitioner's PDR Under N.C.G.S. § 7A-31	1. Allowed 02/23/2015 2. 3.
082P15	In the Matter of: A.E.C.	1. Petitioner's Motion for Temporary Stay (COA14-854) 2. Petitioner's Petition for <i>Writ of Supersedeas</i> 3. Petitioner's PDR Under N.C.G.S. § 7A-31 4. Petitioner's Motion to Deem PDR Timely filed	1. Allowed 02/25/2015 2. 3. 4.

105P14	Donna G. Clements, by and through her Guardian of the Estate, Kimberly Batten v. Robert S. Clements et al.	<p>1. Plt's PDR Under N.C.G.S. § 7A-31 (COA13-596)</p> <p>2. Plt's Motion to Amend Certificate of Service for PDR</p> <p>3. Defs' (Alexandra Lee Clements Irrevocable Trust and the Kyle Davis Clements Irrevocable Trust by and through Their Trustee, Michael Green, and Intervenors Alexandra Lee Clements and Kyle Davis Clements, a Minor, by and through his Guardian <i>Ad Litem</i>, Charles Meier) Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p> <p>3. Dismissed as moot</p>
111P14-2	Judy Knox v. University of North Carolina at Charlotte	Petitioner's <i>Pro Se</i> Motion for Notice of Appeal Based on Dissent in Court of Appeals (COA14-229)	Dismissed as moot
115PA14	Millie E. Hershner v. N.C. Department of Administration and the N.C. Human Relations Commission	Def's Motion to Withdraw PDR	<p>Allowed 02/09/2015</p> <p>Ervin, J., recused</p>

128P14-2	State v. Michael Edward Brooks	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COAP13-33)	Dismissed
130P14	State v. Michael Anthony Shannon	Def's PWC to Review Decision of COA (COA13-214)	Denied
172P11-4	State v. Kelvin Errol Smith	Def's <i>Pro Se</i> PWC to Review Order of Superior Court of Buncombe County	Dismissed
189P14	State v. Lateisha Maria Jandreau	Def's PDR Under N.C.G.S. § 7A-31 (COA13-735)	Denied Ervin, J., recused
202P14	State v. Dameon Jose Glover	Def's <i>Pro Se</i> Motion for Appeal to North Carolina Supreme Court (COA13-1079)	Denied
234P05-2	State v. Gregory Allen Gant	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31(c) (COAP14-950)	Denied
254P08-2	State v. Michael Orlando Cook	Def's <i>Pro Se</i> Motion for PDR	Dismissed

258P14	SRS Arlington Offices 1, LLC, et al. v. Arlington Condominium Owners Association, Inc., and Arlington Commercial Holdings, LLC, and James J. Gross	<p>1. Defs' (Arlington Commercial Holdings, LLC, and James J. Gross) PDR Under N.C.G.S. § 7A-31 (COA13-808)</p> <p>2. Def's (Arlington Condominium Owners Association, Inc.) Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>
270P14	Terri Lynn Robertson and Mary Dianne Godwin Daniel v. Steris Corporation, a Delaware Corporation, et al.	Plts' PDR Under N.C.G.S. § 7A-31 (COA13-1301)	<p>Denied</p> <p>Ervin, J., recused</p>
290P14	State v. Robert Leroy Williams	<p>1. Def's NOA Based Upon a Constitutional Question (COA13-1280)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> <p>Ervin, J., recused</p>
300P14	In the Matter of: S.H., J.H., S.B., Minor Children	<p>1. Respondent-Mother's PDR (COA14-196)</p> <p>2. Petitioner's Motion to Dismiss</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>

309P14	State v. Elizabeth Harrelson Mead	Def's PDR Under N.C.G.S. § 7A-31 (COA14-3)	Denied
332P14	State v. Gregory Aldon Perkins	1. Def's Notice of Appeal Based on a Constitutional Question 2. Def's PDR Under N.C.G.S. § 7A-31 (COA13-1352) 3. Def's Motion to Amend Notice of Appeal and PDR	1. Dismissed <i>ex mero motu</i> 2. Allowed 3. Allowed
353P14	Surgical Care Affiliates, LLC and Blue Ridge Day Surgery Center, L:P. v. N.C. Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section, and WakeMed, Intervenor	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA13-1322)	Denied Ervin, J., recused
372A14	Hart et al. v. State	1. Americans United for Separation of Church and State, et al., Motion for Leave to File Amicus Brief 2. Helen F. Ladd, et al., Motion for Leave to File Amicus Brief	1. Allowed 02/03/2015 2. Allowed 02/03/2015

372A14	Hart et al. v. State	<p>1. National Education Association's Motion for Leave to File Amicus Brief</p> <p>2. Motion to Admit Philip A. Hostak <i>Pro Hac Vice</i></p>	<p>1. Allowed 02/03/2015</p> <p>2. Allowed 02/03/2015</p>
372A14	Hart et al. v. State	Def-Intervenor's Motion to Substitute Party	Allowed 02/10/2015
373A14	Cape Fear River Watch, et al. v. N.C. Environmental Management Commission, et al.	Petitioners' Motion to Substitute New Party Name	<p>Allowed 02/02/2015</p> <p>Edmunds, J., recused</p>
373A14	Cape Fear River Watch, et al. v. N.C. Environmental Management Commission, et al.	Intervenor's Motion to Extend Time for Oral Argument	<p>Denied 03/02/2015</p> <p>Edmunds, J., recused</p>
373A14	Cape Fear River Watch, et al. v. N.C. Environmental Management Commission, et al.	Petitioner's Motion to Extend Time for Oral Argument	<p>Denied 03/02/2015</p> <p>Edmunds, J., recused</p>

374P13-2	State v. Marvin Wade Millsaps	<p>1. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>3. Def's <i>Pro Se</i> Motion for PDR</p>	<p>1. Allowed</p> <p>2. Dismissed as moot</p> <p>3. Dismissed</p> <p>Ervin, J., recused</p>
375A14	Arnesen et al. v. Rivers Edge Golf Club and Plantation, Inc., et al.	Plt's Motion for Extension of Time to File Reply Brief	Allowed 01/26/2015
375P09-3	State v. Avenger Ridgeway	<p>1. Def's <i>Pro Se</i> Petition for Writ of Mandamus (COAP13-292)</p> <p>2. Def's <i>Pro Se</i> Motion to Amend Petition for Writ of Mandamus</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>
376A14	Anderson, et al. v. Coastal Communities at Ocean Ridge Plantation, Inc., et al.	Plt's Motion for Extension of Time to File Reply Brief	Allowed 01/26/2015
377A14	Barton, et al. v. Coastal Communities at Ocean Ridge Plantation, Inc., et al.	Plaintiff's Motion for Extension of Time to File Reply Brief	Allowed 01/26/2015

378A14	Barry, et al. v. Ocean Isle Palms, Inc., et al.	Plaintiff's Motion for Extension of Time to File Reply Brief	Allowed 01/26/2015
379A14	Beadnell, et al. v. Coastal Communities at Ocean Ridge Plantation, Inc. et al.	Plaintiff's Motion for Extension of Time to File Reply Brief	Allowed 01/26/2015
384A14	Richardson, et al. v. The State of North Carolina, et al.	Motion to Admit Francisco M. Negron, Jr. <i>Pro Hac Vice</i>	Allowed 01/30/2015
384A14	Richardson, et al. v. The State of North Carolina, et al.	Motion to Withdraw	Allowed 02/02/2015
384A14	Richardson, et al. v. The State of North Carolina, et al.	1. Motion to Admit Michael A. Rebell <i>Pro Hac Vice</i> 2. Campaign for Educational Equity, Teachers College, Columbia University's Motion for Leave to File Amicus Brief	1. Allowed 02/04/2015 2. Allowed 02/04/2015
384A14	Richardson, et al. v. The State of North Carolina, et al.	Def-Intervenor's Motion to Substitute Party	Allowed 02/10/2015
384A14	Richardson, et al. v. The State of North Carolina, et al.	Motion of Robert Orr to Appear as Counsel of Record	Allowed 02/11/2015
385P14-2	State v. Joseph Edward Tucker	Def's <i>Pro Se</i> Motion for Appropriate Relief	Dismissed

386P13-2	Bryan Debaun v. Daniel Kuszaj, a/k/a D.J. Kuszaj, a Durham Police Officer in his Individual and Official Capacity; and City of Durham, N.C.	Plt's PDR Under N.C.G.S. § 7A-31 (COA12-1520-2)	Denied Ervin, J., recused
400P14-3	State v. Dennis Moore	Def's <i>Pro Se</i> Motion for Petition for "Herein"	Dismissed
410A14	In the Matter of Lynn Marie Burke	Motion to Appear as Counsel of Record	Allowed 02/23/2015
417P00-4	Frank Moore v. Attorney General, et al.	Def's <i>Pro Se</i> Petition for Writ of Habeas Corpus	Denied 02/23/2015
418P14	Hans Kindsgrab v. State of N.C. Board of Barber Examiners	1. Petitioner's NOA Based Upon a Constitutional Question (COA13-1321) 2. Petitioner's PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>ex mero motu</i> 2. Denied

419P14	Rutherford Electric Membership Corporation v. 130 of Chatham, LLC	<p>1. Respondent's NOA Based Upon a Constitutional Question (COA14-134)</p> <p>2. Respondent's PDR Under N.C.G.S. § 7A-31</p> <p>3. Petitioner's Motion to Dismiss Appeal</p> <p>4. Petitioner's Conditional PDR Under N.C.G.S. § 7A-31</p> <p>5. Petitioner's Motion for Expedited Disposition of NOA and PDR</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p> <p>4. Dismissed as moot</p> <p>5. Dismissed as moot</p>
424P14-2	Stritzinger v. Bank of America, et al.	Plt's <i>Pro Se</i> Motion for a Petition for Review Under Original Jurisdiction	Dismissed
427P14	State v. Larry Thomas McGee	<p>1. Def's Motion for Temporary Stay (COA14-339)</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 11/25/2014 Dissolved 03/05/2015</p> <p>2. Denied</p> <p>3. Denied</p>

428P14	State v. Jerry Lee Pittman	Def's <i>Pro Se</i> Motion for PDR (COAP14-719)	Dismissed
432P14	State v. Neil Stanley Page, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA14-16)	Denied
444P09-5	State v. Charles Gene Rogers	Def's <i>Pro Se</i> Motion for Appointment of Counsel	Denied
447P02-3	Edward McCrae v. State	Def's <i>Pro Se</i> Motion for PDR	Dismissed
450P14	State v. Matthew Smith Shepley	Def's PDR Under N.C.G.S. § 7A-31 (COA14-390)	Denied
454P14	State v. Karsten Eugene Turner	Def's PDR Under N.C.G.S. § 7A-31 (COA14-318)	Denied
461P14	State v. Billy Frank Larkin	Def's PDR Under N.C.G.S. § 7A-31 (COA14-443)	Denied
463P14	David C. Faustin v. North Carolina Building Code Council	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA14-82) 2. Plt's Motion to Supplement the Record	1. Denied 2. Dismissed as moot

464P14	State v. Jarmal Flood	1. Def's PDR Under N.C.G.S. § 7A-31 (COA14-179) 2. State's Conditional PDR Under N.C.G.S. § 7A-31	1. Denied 2. Dismissed as moot
466PA11-3	State v. Heather Rochelle Surratt	1. Def's Notice of Appeal Based Upon a Constitutional Question (COA14-202) 2. Def's PDR Under N.C.G.S. § 7A-21 3. State's Motion to Dismiss Appeal	1. --- 2. Dismissed 3. Allowed Ervin, J., recused
467P14	State v. Andrew Grady Davis	Def's PDR Under N.C.G.S. § 7A-31 (COA14-443)	Denied
470P14	N.C. Department of Public Safety v. Carrie J. Tucker	1. State's PDR Prior to a Determination of the COA (COA14-1308) 2. State's Motion for Consolidation	1. Denied 2. Dismissed as moot Ervin, J., recused

473P14	State v. Terry Dean Spivey	<p>1. Def's <i>Pro Se</i> Motion for Notice of Appeal (COA13-656)</p> <p>2. Def's <i>Pro Se</i> Petition for Writ of Certiorari to Review Decision of N.C. COA</p> <p>3. Def's <i>Pro Se</i> Petition for Writ of Habeas Corpus</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Denied</p> <p>3. Denied 02/25/2015</p>
475P14-2	State v. Reginald U. Fullard	Def's <i>Pro Se</i> Motion for Reconsideration with Additional Evidence	Dismissed
478P14	State v. Joe Louis Petty, Jr.	<p>1. Def's NOA Based Upon A Constitutional Question (COA14-641)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p>
493P10-2	State v. Elijah Shane Clary	Def's <i>Pro Se</i> Motion for Recision of Contract	Dismissed

525P13-2	State v. Dennis O'Keith Blackwell	Def's <i>Pro Se</i> Motion to Appeal Complaint Filed with the N.C. Judicial Standards Commission	Dismissed
----------	--------------------------------------	---	-----------