

SUPREME COURT OF NORTH CAROLINA

PETITIONS

6 March 2014

001P13-3	Elizabeth Townes Homeowners Association, Inc. and the Elizabeth Townes Board of Directors v. Jane Brawley Jordan, Betty M. Brawley, and Bobby P. Brawley	Def's (Jane Brawley Jordan) <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA	Denied
002P14	In the Matter of: P.B.B.	<p>1. Petitioners' (Bonds) Petition for Discretionary Review Prior to Determination by the Court of Appeals</p> <p>2. Petitioners' (Bonds) Motion to Amend Petition for Discretionary Review</p>	<p>1. Denied 01/27/2014</p> <p>2. Allowed 01/08/2014</p>
007P14	State v. James Christopher Gatewood	<p>1. State's Motion for Temporary Stay (COA13-669)</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 01/07/2014 Dissolved 03/06/2014</p> <p>2. Denied</p> <p>3. Dismissed</p>

008P14	High Point Bank and Trust Company v. Highmark Properties, LLC, Mitchell Blevins, Cynthia Blevins, Charles Williams, and Janice Williams	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA13-331) 2. Defs' Conditional PDR Under N.C.G.S. § 7A-31	1. Allowed 2. Allowed
013P14	State v. Etheridge Everett Grubb, III	Def's PDR Under N.C.G.S. § 7A-31 (COA13-625)	Denied
014P14	In Re: A.D.N., a Minor Child	1. Respondent-Mother's PDR Under N.C.G.S. § 7A-31 (COA13-709) 2. Respondent-Mother's Motion for Leave to Amend PDR	1. Denied 2. Denied
016P07-4	State v. Joey Duane Scott	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 03/03/2014
018P14	State v. Paris Jajuan Todd	Def's <i>Pro Se</i> Motion for PDR (COA13-67)	Denied
020P14-2	State v. Richard L. Elliott	1. Def's <i>Pro Se</i> Motion for NOA (COAP14-14) 2. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	1. Dismissed <i>Ex Mero Motu</i> 02/04/2014 2. Denied 02/04/2014
023P14	State v. Jimmy I. Jones	Def's PDR Under N.C.G.S. § 7A-31 (COA13-215)	Denied

025P14	State v. Cornelius Jevon Clark	Def's PDR Under N.C.G.S. § 7A-31 (COA13-561)	Denied
027P14	State v. Daniel Charles Lewis	Def's PDR Under N.C.G.S. § 7A-31 (COA13-254)	Denied
029P14	State v. James Howard Rowland	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied 02/05/2014
030P14	State v. Zonta Tavaras Ellison	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Mecklenburg County	Dismissed
031P14	State v. Rodney E. Jones	Def's <i>Pro Se</i> Motion for MAR Petition (COAP12-26)	Dismissed
033P14	North Carolina Farm Bureau Mutual Insurance Company, Inc. v. Wade H. Paschal, Jr., Guardian <i>ad Litem</i> for Harley Jessup; Reggie Jessup; Randall Collins Jessup; and Thurman Jessup	Plt's PDR Under N.C.G.S. § 7A-31 (COA13-615)	Allowed
037P14	State v. Audra Lindsey Smathers	Def's PDR Under N.C.G.S. § 7A-31 (COA13-496)	Denied

038A14	State v. Joshua Andrew Stepp	<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 Notice of Appeal Based Upon A Dissent</p>	<p>1. Allowed 02/06/2014</p> <p>2. Allowed 02/26/2014</p> <p>3. ---</p>
039P14	State v. Robert S. Chamberlain	Def's <i>Pro Se</i> Motion for NOA (COAP14-51)	Dismissed
040P14	Michael Antrantrino Lee v. State	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Cumberland County	Dismissed
041A14	State v. Gregory Elder	<p>1. State's Motion for Temporary Stay</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed 02/07/2014</p> <p>2. Allowed</p>

052P14	State v. Rodney E. Jones	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Johnston County	Denied
056P14	Eugene & Martha Kirby; Harris Triad Homes, Inc.; Michael Hendrix; Darren Engelkemier; Ian Hutagalung; Sylvia Maendl; Stephen Stept; James & Phyliss Nelson; and Republic Properties, LLC v. N.C. Department of Transportation	Plts' PDR Prior to a Decision of the COA Under N.C.G.S. § 7A-31(b)	Denied
057P14	State v. Dennis Edward Byers	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP14-7) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i> 3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed 2. Allowed 3. Dismissed as Moot
060A14	State v. Rondell Luvell Sanders	1. State's Motion for Temporary Stay (COA13-750) 2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed 02/26/2014 2. Allowed 02/26/2014
062P14	State v. Michael Rankins	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 02/24/2014

063P14	State v. Rashawn Lorenza Parsons	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 02/26/2014
138PA08-2	State v. Mickey Vonrice Rollins	1. Def's PDR Under N.C.G.S. § 7A-31 (COA12-552) 2. State's Motion to Deny PDR 3. State's Motion to Dismiss Appeal	1. Denied 2. Dismissed as Moot 3. Dismissed
201PA12-2	Dickson, et al. v. Rucho, et al.	Motion for Leah J. Tulin to Withdraw as Counsel for Amici Curiae Election Law Professors	Allowed 02/04/2014
201PA12-2	Dickson, et al. v. Rucho, et al.	Plt's Motion to Amend the Record	Allowed
211P09-2	Security Credit Corporation, Inc. v. Michael S. Barefoot, Frankie W. Barefoot, Eddie W. Snead, Security Auto Sales, GWS Incorporated, and MB-0001, Inc.	1. Defs' (Michael S. Barefoot, Frankie W. Barefoot, and Security Auto Sales) Petition for <i>Writ of Certiorari</i> to Review Order of COA (COA11-908) 2. Defs' (Michael S. Barefoot, Frankie W. Barefoot, and Security Auto Sales) Motion to Amend Petition for <i>Writ of Certiorari</i>	1. Denied 2. Allowed Beasley, J., recused

249P11-4	State v. Bobby R. Grady	Def's <i>Pro Se</i> Motion for Rehearing	Dismissed
251P13-2	George T. Powell, Jr. v. Prodev X, LLC v. George R. Brown, Penny R. Powers and Robert E. Rousseau, and Shafic Andraos, Interveners	1. Plt's <i>Pro Se</i> Motion for Emergency Petition for <i>Writ of Certiorari</i> 2. Plt's <i>Pro Se</i> Motion for Suspension of Rules	1. Denied 2. Dismissed
260P09-3	Mack Eugene Polk, Jr. v. Herb Jackson, Superintendent of Brown Creek Correctional Institution	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 02/11/2014 Jackson, J., recused
281PA13	George King, d/b/a George's Towing and Recovery v. Town of Chapel Hill	1. Plt's Motion to File Reply Brief 2. Def's Motion to Deny Motion to File Reply Brief 3. Def's Motion in the Alternative to Strike Reply Brief 4. Plt's Motion to Allow Reply Brief to be Filed	1. Allowed 03/03/2014 2. Dismissed as Moot 03/03/2014 3. Dismissed as Moot 03/03/2014 4. Dismissed as Moot 03/03/2014

302PA13	In the Matter of: E.H., N.H.	Respondent- Father's Motion for this Court to Take Judicial Notice of Related Civil Child Custody Proceedings	Dismissed as Moot
327P13	State v. Victor A. Cruz Garcia	Def's PDR Under N.C.G.S. § 7A-31 (COA12-972)	Denied
332P13-3	Bobby R. Knox, Jr. v. N.C. Department of Public Safety of Prisons	Petitioner's <i>Pro Se</i> Petition for <i>Writ of</i> <i>Habeas Corpus</i>	Denied 02/10/2014
359A13	George Christie and Deborah Christie v. Hartley Construction, Inc., Grailcoat Worldwide, LLC, and Grailco, Inc.	Plts' Motion for Extension of Time to File Reply Brief	Allowed 03/03/2014
361P13-2	State v. Michael Ray Jones	Def's <i>Pro Se</i> Petition for <i>Writ of</i> <i>Certiorari</i> to Review Order of Superior Court of Lenoir County	Dismissed

369P13	Edith R. Salmony, Guardian of the Estate of Mary Elizabeth Edwards, Incompetent, Geraldine E. Edwards and Marcus A. Edwards, Sr., Parents and Guardian of the Person of Mary Elizabeth Edwards, Incompetent v. BANK OF AMERICA CORPORATION, a/k/a Bank of America, N.A., formerly known as NationsBank Corporation, also formerly known as BankAmerica Corporation, also formerly known as Nations Bank of North Carolina, N.A., and also formerly known as NCNB Corporation	1. Plts' <i>Pro Se</i> & Attorney PDR Under N.C.G.S. § 7A-31 (COA12- 1414) 2. Plts' <i>Pro Se</i> & Attorney Motion to Deem PDR Timely Filed 3. Plts' <i>Pro Se</i> & Attorney Motion in the Alternative for Court to Consider the PDR as a Petition for <i>Writ of Certiorari</i> 4. Plts' <i>Pro Se</i> & Attorney Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Wake County	1. Denied 2. Denied 3. Allowed 4. Denied
395P13	State v. John Lewis Wray, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA12-1406)	Denied Beasley, J., recused
405P13	State v. Ernie Lee Warrick	Def's PDR Under N.C.G.S. § 7A-31 (COA12-1424)	Denied

424A13	State of North Carolina <i>ex rel.</i> Utilities Commission; Duke Energy Progress, Inc., Applicant; Public Staff – North Carolina Utilities Commission, Intervenor v. Attorney General Roy Cooper, Intervenor, The North Carolina Waste Awareness And Reduction Network, Intervenor	1. Duke Energy Progress, Inc. and Public Staff – N.C. Utilities Commission’s Motion to Consolidate Appeal with Related Cases 2. Duke Energy Progress, Inc. and Public Staff – N.C. Utilities Commission’s Motion in the Alternative to Schedule Oral Argument and Decisions in Related Appeals in a Sequence that Promotes Judicial Economy	1. Denied 2. Denied
428P13	State v. David Clinton Divinie	Def’s PDR Under N.C.G.S. § 7A-31 (COA12-1311)	Denied
444P13	Gregory W. Tincher, Employee v. Adecco (Formerly Known as Olsten Staffing), Employer, Broadspire, Third-Party Administrator/Carrier	Plt’s PDR Under N.C.G.S. § 7A-31 (COA12-1153)	Denied
444P13-2	Gregory W. Tincher, Employee v. Adecco (Formerly Known as Olsten Staffing), Employer, Broadspire, Third-Party Administrator/Carrier	Plt’s Petition for <i>Writ of Certiorari</i> to Review Decision of COA	Denied

447P13	State v. Alvin Gibert	Def's PDR Under N.C.G.S. § 7A-31 (COA12-1087)	Denied
448P13	State v. Tremona Dremell Williams	Def's PDR Under Under N.C.G.S. § 7A-31 (COA13-193)	Denied
452P13	Thomas Culbreth, Employee v. Ironmen of Fayetteville, Inc., Employer Stonewood Insurance Company, Carrier	1. Defs' NOA Based Upon a Constitutional Question (COA13-14) 2. Defs' PDR Under N.C.G.S. § 7A-31 3. Defs' Motion to Hold NOA and PDR In Abeyance Pending Settlement of Claim	1. --- 2. --- 3. Allowed
462P13	Linda M. Robinson and Frank Robinson v. Duke University Health Systems, Inc., d/b/a Duke University Medical Center, Duke University Affiliated Physicians, Inc., Christopher Mantyh, M.D., Erich S. Huang, M.D., Mayur B. Patel, M.D., Lewis Hodgins, M.D., and Jane and John Doe	1. Defs' PDR Under N.C.G.S. § 7A-31 (COA12-1239) 2. Motion for Admission of Reynolds Williams <i>Pro Hac Vice</i>	1. Denied 2. Allowed

465A06-2	State v. Ryan Gabriel Garcell	Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Rutherford County	Dismissed
490P13	State v. Alfutir Kareem-Id Mayweather	Def's PDR Under N.C.G.S. § 7A-31 (COA13-316)	Denied
492P13	Judy Hammond v. Saira Saini, M.D., Carolina Plastic Surgery of Fayetteville, P.C., Victor Kubit, M.D., Cumberland Anesthesia Associates, P.A., Wanda Untch, James Bax, and Cumberland County Hospital System, Inc.	Defs' (Bax, Untch, and CCHS) PDR Under N.C.G.S. § 7A-31 (COA12-1493)	Allowed
494P13	State v. Lance Adam Goldman	1. State's Motion for Temporary Stay (COA12-1509) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 11/04/2013 Dissolved 03/06/2014 2. Denied 3. Denied
501A13	State v. Bobby Gene Jolly	1. Def's NOA Based Upon a Constitutional Question (COA12-1389) 2. State's Motion to Dismiss Appeal	1. --- 2. Allowed

514PA08-3	State v. Bobby E. Bowden	<p>1. Def's Motion to Take Judicial Notice of the Files of This Court in the Case of Brown v. N.C. Department of Correction</p> <p>2. Def's Motion to Take Judicial Notice of the Files of this Court in the Case of Jones v. Keller</p>	<p>1. Allowed</p> <p>2. Allowed</p>
516P13	State v. Keith Tyrone Troxler	Def's PDR Under N.C.G.S. § 7A-31 (COA13-79)	Denied
518P13	Sheena Moody Ward, Plaintiff v. Luis Enrique Carmon, Defendant v. Justin Michael Ward, Third-Party Defendant	Plaintiff and Third-Party Def's PDR Under N.C.G.S. § 7A-31 (COA13-258)	Allowed
528P13	Walter Stevens, Employee v. United States Cold Storage, Inc., Employer, N.C. Insurance Guaranty Association, Carrier	Def's PDR Under N.C.G.S. § 7A-31 (COA13-150)	Denied

531P13	State v. James A. Phillips, Jr.	<p>1. State's Motion for Temporary Stay (COA13-449)</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 11/22/2013</p> <p>2. Allowed</p> <p>3. Allowed</p>
532P13	State v. Steven Glenn Bryan	<p>1. State's PDR Under N.C.G.S. § 7A-31 (COA13-520)</p> <p>2. State's Alternative Petition for <i>Writ of Certiorari</i> to Review Order of COA (COA13-520)</p>	<p>1. Denied</p> <p>2. Denied</p>
535P13-2	Jennifer Tyll and David Tyll v. Joey Berry	<p>1. Def's <i>Pro Se</i> Motion for NOA (COA13-1137)</p> <p>2. Def's <i>Pro Se</i> Motion for Discretionary Review</p> <p>3. Def's <i>Pro Se</i> Motion to Accept Brief</p>	<p>1. Dismissed <i>Ex Mero Motu</i></p> <p>2. Denied</p> <p>3. Denied</p>

550P13	Avinash Thakorlal Bhathela v. Shawn Currie	Plt's PDR Under N.C.G.S. § 7A-31 (COA13-319)	Denied
552P13	In Re: Twin County Motorsports, Inc.	1. State's Motion for Temporary Stay (COA13-21) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 12/11/2013 2. Allowed 3. Allowed
553P13	In re: Jerry's Shell, LLC NCDMV Action No. 27867	1. State's Motion for Temporary Stay (COA13-223) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 12/11/2013 2. Allowed 3. Allowed
560P13	State v. Zachary Russell Bowman	1. Def's PDR Under N.C.G.S. § 7A-31 (COA12- 1565) 2. State's Motion to Deny Def's PDR	1. Denied 2. Dismissed as Moot
561P13	In the Matter of: J.N.M. and A.M.M., Minor Children	Respondent- Mother's PDR Under N.C.G.S. § 7A-31 (COA13- 567)	Denied

570P13	State v. Christopher Wayne Salter	State's PDR Under N.C.G.S. § 7A-31 (COA13-386)	Denied
571P13	State v. Floyd Lynbird Norris, Jr.	1. Def's PDR Under N.C.G.S. § 7A-31 (COA13-282) 2. Def's Petition for <i>Writ of Certiorari</i> to Review Decision of COA	1. Dismissed 2. Denied
573P13-2	State v. Donald Edward Johnson and Jessica Williams	1. Def's (Johnson) <i>Pro Se</i> Petition of <i>Writ of Certiorari</i> to Review Decision of COA 2. Def's (Johnson) <i>Pro Se</i> Motion in the Alternative for Petition For <i>Writ of Error Coram Nobis</i>	1. Denied 2. Denied
575P13	State v. Ebony Angel Nicholas	1. Def's NOA Based Upon a Constitutional Question (COA13-613) 2. Def's PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>Ex Mero Motu</i> 2. Denied

576A13	State v. Vincent Edward Northington	<p>1. Def's NOA Based Upon a Constitutional Question (COA13-475)</p> <p>2. State's Motion to Dismiss Appeal</p> <p>3. State's Motion for Response to Def's NOA to be Deemed Timely Filed</p>	<p>1. ---</p> <p>2. Allowed</p> <p>3. Allowed</p>
577P13	State v. Kevin James Dahlquist	<p>1. Def's Motion for Temporary Stay (COA13-276)</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's NOA Based Upon a Constitutional Question</p> <p>4. Def's PDR Under N.C.G.S. § 7A-31</p> <p>5. State's Motion to Dismiss Appeal</p>	<p>1. Allowed 12/20/2013 Dissolved 03/06/2014</p> <p>2. Denied</p> <p>3. ---</p> <p>4. Denied</p> <p>5. Allowed</p>
579P13	State v. Melissa Moody Goodwin	Def's PDR Under N.C.G.S. § 7A-31 (COA13-569)	Denied

580P13	In the Matter of: A.N.V. and O.N.V.	Respondent Mother's PDR Under N.C.G.S. § 7A-31 (COA13-572)	Denied
584P13	Department of Transportation v. Ray F. Webster and wife, Dorothy Walton Webster	Defs' PDR Under Under N.C.G.S. § 7A-31 (COA12-1546)	Denied
586P13	Jason McNeill Raynor v. N.C. Department of Crime Control and Public Safety	Plt's Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA13-197)	Denied
587P13	The Estate of Gary Vaughn, Tammy Vaughn, Administratrix v. Pike Electric, LLC, Pike Electric, Inc., and Kenneth Shalako Penland	Def's (Penland) PDR Under N.C.G.S. § 7A-31 (COA13-448)	Denied
588P13	In the Matter of: L.G., R.G.	Respondent-Father's PDR Under N.C.G.S. § 7A-31 (COA13-875)	Denied
589P13	State v. Jeremiah Royster	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of the COA (COAP13-957)	Dismissed
607P06-2	State v. Javier Morales Gonzalez	Def's <i>Pro Se</i> Motion for PDR (COA06-4)	Denied