

**SUPREME COURT OF NORTH CAROLINA**

**PETITIONS**

**13 April 2016**

013P16	Landover Homeowners Association, Inc. v. Thomas B. Sanders; Anna B. Sanders; Sanders Equipment Company, Inc.; and Sanders Development	<p>1. Defs' Motion for Temporary Stay (COA14-1337)</p> <p>2. Defs' Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>01/15/2016</b> Dissolved <b>04/13/2016</b></p> <p>2. Denied</p> <p>3. Denied</p>
016P16	Maurice Antonio Burris v. Kelly J. Thomas, Commissioner of the North Carolina Division of Motor Vehicles	<p>1. Petitioner's Motion for Temporary Stay (COA15-312)</p> <p>2. Petitioner's Petition for <i>Writ of Supersedeas</i></p> <p>3. Petitioner's PDR Under N.C.G.S. § 7A-31</p> <p>4. Respondent's Motion to Strike Appendix to PDR</p>	<p>1. Allowed <b>01/20/2016</b> Dissolved <b>04/13/2016</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Dismissed as moot</p>

027P16	State v. Keyshawn Jones	<p>1. State's Motion for Temporary Stay (COA15-804)</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 <b>01/26/2016</b></p> <p>2. Allowed</p> <p>3. Allowed</p>
030P16	State v. Ryan Patrick Hare	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP15-808)	Denied
032A16	Orban, et al. v. Pike Corporation, et al.	Def's (Pike Corporation) Consent Motion to Withdraw and Dismiss Appeals	Allowed <b>03/29/2016</b>
035PA12-2	Connie Chandler, Employee, by her Guardian ad Litem, Celeste M. Harris v. Atlantic Scrap & Processing, Employer and Liberty Mutual Insurance Company, Carrier	<p>1. Defs' Motion for Temporary Stay (COA14-1351)</p> <p>2. Defs' Petition for <i>Writ of Supersedeas</i></p> <p>3. Defs' PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>01/06/2016</b> Dissolved <b>04/13/2016</b></p> <p>2. Denied</p> <p>3. Denied</p>

036P16	State v. James Anthony Barnett, Jr.	<p>1. State's Motion for Temporary Stay (COA15-200)</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 <b>02/05/2016</b></p> <p>2. Allowed</p> <p>3. Allowed</p>
044P16	Jeffrey J. Johnson and wife, Donna N. Johnson, and Gary A. Proffitt and wife, Betty Jo Proffitt v. Starboard Association, Inc., A North Carolina nonprofit Corporation, John McGuirt, Charles Adams, Eric O'Brian, William Carter, Helen Bunch, Syd Schenk, Cathy Moss, Bud Ayers, Betty Graham, Darryl Rice, individually and as Members of the Board of Directors of Starboard Association, Inc., and Abbot Enterprises, Inc., A North Carolina corporation	Def's PDR Under N.C.G.S. § 7A-31 (COA15-457)	Denied
056P16	State v. Willie Hubert DuBoise	Def's PDR Under N.C.G.S. § 7A-31 (COA15-852)	Denied
059P16	State v. Gary Roger Thomson	Def's PDR Under N.C.G.S. § 7A-31 (COA15-390)	Denied

060P16	North Carolina Department of Public Safety v. Kenneth Shields	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA15-154)	Denied
061P16	State v. Carlton Washington Tomlinson	1. Def's Motion for Temporary Stay (COA15-585)  2. Def's Petition for <i>Writ of Supersedeas</i>  3. Def's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>02/25/2016</b> Dissolved <b>04/13/2016</b>  2. Denied  3. Denied
065P16	State v. Jerome Shaw, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA15-573)	Denied
073P16	American Mechanical, Inc. v. Jeffrey L. Bostic, Michael Hartnett, and Joseph E. Bostic, Jr.	Plts' PDR Under N.C.G.S. § 7A-31 (COA15-385; COA15-422; COA15- 525)	Denied
074P16	Yates Construction Company, Inc. v. Jeffrey L. Bostic, Michael Hartnett, and Joseph E. Bostic, Jr.		
075P16	Phillips and Jordan, Inc. v. Jeffrey L. Bostic, Michael Hartnett, and Joseph E. Bostic, Jr.		

076A16	Daniel and Lisa Holt, Administrators of the Estate of Hunter Daniel Holt; Steven Grier Price, Individually; Steven Grier Price, Administrator of the Estate of McAllister Grier Furr Price; Steven Grier Price, Administrator of the Estate of Cynthia Jean Furr v. North Carolina Department of Transportation	1. Plts' Motion to Dismiss Appeal 2. Plts' Motion to Withdraw Motion to Dismiss Appeal	1. --- 2. Allowed
080P16	State v. Raul Oliveros	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA15-411) 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

082P16	State v. Larry J. Edwards	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Orange 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> <p><b>Ervin, J., recused</b></p>
083P04-2	State v. Philip Ray Dawkins	<p>1. Def's Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP14-945)</p> <p>2. Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court Stanly County</p> <p>3. Def's Motion to Hold Petition for <i>Writ of Certiorari</i> in Abeyance</p>	<p>1. Dismissed</p> <p>2. Dismissed</p> <p>3. Dismissed as moot</p>
084A16	Faires, et al. v. State Board of Elections, et al.	John V. Orth's Motion for Leave to File Amicus Brief	<p>Allowed <b>03/30/2016</b></p> <p><b>Edmunds, J., recused</b></p>
092P16	State v. Ray Charles Strickland	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied

102P13-3	State v. Charles Anthony Ball	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Dismissed
109P16	State v. Curtis Joel Smith	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP15-545)	Denied <b>03/30/2016</b>
113P16	State v. Austin Lynn Miller	<p>1. State's Motion for Temporary Stay (COA15-636)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's Notice of Appeal Based Upon a Constitutional Question</p> <p>4. State's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed <b>03/31/2016</b></p> <p>2.</p> <p>3.</p> <p>4.</p>

125P16	State v. Mark Wayne Ballard	<p>1. Def's <i>Pro Se</i> Motion for Leave of the Court to File Notice of Appeal (COAP15-832)</p> <p>2. Def's <i>Pro Se</i> Motion for Extension of Time to File Notice of Appeal</p> <p>3. Def's <i>Pro Se</i> Motion for Equitable Tolling</p> <p>4. Def's <i>Pro Se</i> Motion to Stay</p> <p>5. Def's <i>Pro Se</i> Motion for Appointment of Counsel</p>	<p>1.</p> <p>2.</p> <p>3.</p> <p>4. Dismissed <b>04/06/2016</b></p> <p>5.</p>
131P16	State v. Somchoi Noonsob	<p>1. Def's <i>Pro Se</i> Motion for Appropriate Relief/Release (COAP16-103)</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied <b>04/13/2016</b></p> <p>2. Allowed <b>04/13/2016</b></p>
132A16	State v. Calvin Sherwood Watts	<p>1. State's Motion for Temporary Stay (COA15-358)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed <b>04/13/2016</b></p> <p>2. Allowed <b>04/13/2016</b></p>



234P05-3	State v. Gregory Allen Gant	Petitioner's <i>Pro Se</i> Motion for PDR (COAP16-157)	Denied <b>03/31/2016</b>
241P11-5	State v. Delton Maynor	Def's <i>Pro Se</i> Motion for PDR of <i>Writ of Certiorari</i> (COAP15-396)	Dismissed
261P15	Richard O'Neal, Employee v. Inline Fluid Power, Inc. & Automotive Parts Co., Inc., Employer and Auto Owners Insurance Company, Carrier	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA14-1144) 2. Plt's Motion to Amend PDR 3. Plt's Motion to Strike Response to Motion to Amend PDR	1. Special Order 2. Special Order 3. Special Order
272A14	State v. Jonathan Douglas Richardson (DEATH)	Def's Motion Regarding Sealed Transcript	Allowed
276P15	In the Matter of the Foreclosure by Rogers Townsend & Thomas, PC, Substitute Trustee of a Deed of Trust Executed by Julia Weskett Beasley, dated February 12, 2007 and recorded on February 16, 2007 in Book No. 1211 at Page 169 of the Carteret County Registry, North Carolina	Respondent's (Julia Weskett Beasley) PDR Under N.C.G.S. § 7A-31 (COA14-387)	Allowed

300P15	Edward Battle, Jr., Employee v. Meadowbrook Meat Company, Inc., Employer, Self-Insured (Sedgwick Claims Management Services, Inc., Third-Party Administrator)	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA14-1059)  2. Plt's Motion to Withdraw Petition for Discretionary Review	1. ---  2. Allowed
311P15	State v. Thedford Roy Rorie, Jr.	1. State's Motion for Temporary Stay (COA14-886)  2. State's Petition for <i>Writ of</i> <i>Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>09/08/2015</b> Dissolved <b>04/13/2016</b>  2. Denied  3. Denied
354P15-2	Christopher Mosby v. John Ingram, Sheriff, et al.	1. Petitioner's <i>Pro</i> <i>Se</i> Motion for Notice of Appeal of Civil Contempt  2. Petitioner's <i>Pro</i> <i>Se</i> Motion for Petition for Appellate Review (COAP15-597)	1. Denied  2. Denied

368P15	Johnnie Wilkes, Employee v. City of Greenville, Employer, Self-Insured (PMA Management Group, Third-Party Administrator)	<p>1. Def's Motion for Temporary Stay (COA14-1193)</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>4. N.C. Association of Self-Insurers, N.C. Association of County Commissioners, N.C. League of Municipalities, and N.C. School Boards Association's Motion for Leave to File <i>Amicus</i> Brief</p> <p>5. N.C. Association of Defense Attorneys, N.C. Chamber, N.C. Retail Merchants Association, and N.C. Home Builders Association's Conditional Motion for Leave to File <i>Amicus</i></p>	<p>1. Allowed <b>11/12/2015</b></p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. Allowed</p> <p>5. Allowed</p>
376A15	Paramount Rx, Inc. v. Robert E. Duggan and Agelity, Inc.	<p>1. Plt's Joint Motion to Lift Stay</p> <p>2. Plt's Joint Motion to Dismiss Appeal</p>	<p>1. Allowed <b>04/01/2016</b></p> <p>2. Allowed <b>04/01/2016</b></p>

390P15	The Residences at Biltmore Condominium Owners' Association, Inc. v. Power Development, LLC and Mountain Mortgage, Inc.	<p>1. Defs' PDR Under N.C.G.S. § 7A-31 (COA14-1222)</p> <p>2. Plt's Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>
402P11-7	State v. Sylvester Eugene Harding, III	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i></p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i> and/or Prohibition</p>	<p>1. Denied <b>04/01/2016</b></p> <p>2. Denied <b>04/01/2016</b></p>
402P11-8	State v. Sylvester Eugene Harding, III	<p>1. Def's <i>Pro Se</i> Motion for Petition for Extraordinary Writ as to the All Writ Act of 1789</p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i></p> <p>3. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i></p>	<p>1. Dismissed <b>04/13/2016</b></p> <p>2. Denied <b>04/13/2016</b></p> <p>3. Dismissed <b>04/13/2016</b></p>

402P15	State v. Donna Helms Ledbetter	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA15-414)</p> <p>2. State's Motion to Strike Def's Reply to State's Response</p> <p>3. Def's Motion to Hold PDR in Abeyance</p> <p>4. Def's Motion for Temporary Stay</p> <p>5. Def's Petition for <i>Writ of Supersedeas</i></p>	<p>1.</p> <p>2.</p> <p>3. Allowed <b>04/13/2016</b></p> <p>4. Allowed <b>12/17/2015</b></p> <p>5.</p>
409P15	Gregory P. Nies and Diane S. Nies v. Town of Emerald Isle, a North Carolina Municipality	<p>1. Plts' Notice of Appeal Based Upon a Constitutional Question (COA15-169)</p> <p>2. Plts' PDR Under N.C.G.S. § 7A-31</p> <p>3. Plts' Motion to Admit J. David Breemer <i>Pro Hac Vice</i></p> <p>4. Def's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. Allowed</p>

415P15	State v. Jamie Rieson	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Rockingham 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>
426P15	State v. Andrew Clayton Ledbetter	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA15-322)</p> <p>2. State's Motion to Deem Response Timely Filed</p>	<p>1. Denied</p> <p>2. Allowed</p>
465A06-3	State v. Ryan Gabriel Garcell (DEATH)	<p>1. Def's Motion to Hold in Abeyance the Time in Which to File Petition for <i>Writ of Certiorari</i></p> <p>2. Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Rutherford County</p>	<p>1. Dismissed as moot <b>04/13/2016</b></p> <p>2.</p>