

SUPREME COURT OF NORTH CAROLINA

PETITIONS

3 May 2017

006P17	In the Matter of: A.H., C.H.	Respondent- Mother's PDR Under N.C.G.S. § 7A-31 (COA16-581)	Denied
013P17	State v. Kalmeaice Kawanna Williams	Def's PDR Under N.C.G.S. § 7A-31 (COA16-432)	Denied
024P17-2	State v. Calvin Lamar Adams	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA15-1384)	Dismissed
030P17	State v. Napoleon Richard Cooper	Def's PDR Under N.C.G.S. § 7A-31 (COA16-483)	Denied
036P17	State v. Constance Michelle Sheperd	Def's PDR Under N.C.G.S. § 7A-31 (COA16-270)	Denied
039P12-2	State v. Ray Lee Ross	Def's Petition for <i>Writ of Certiorari</i> to Review Order of COA (COA17-56)	Dismissed Beasley, J., recused

044P17	Edward F. Wilkie and Debra T. Wilkie v. City of Boiling Spring Lakes	<p>1. Plts' Notice of Appeal Based Upon a Constitutional Question (COA16-652)</p> <p>2. Plts' PDR Under N.C.G.S. § 7A-31</p> <p>3. Def's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Special Order</p> <p>3. Allowed</p>
048P17	Estate of Regina Cecylia Johnson v. Fundacja Jasmin Reginy Elandt I Normana Lloyd Johnsonow, Ewa Violetta Elandt-Jankowska, and Hanna Elandt-Pogodzinska	Plt's PDR Under N.C.G.S. § 7A-31 (COA16-528)	<p>Denied</p> <p>Morgan, J., recused</p>
052P17	Roy A. Cooper, III, in his Official Capacity as Governor of the State of North Carolina v. Philip E. Berger, in his Official Capacity as President <i>Pro Tempore</i> of the North Carolina Senate; and Timothy K. Moore, in his Official Capacity as Speaker of the North Carolina House of Representatives	<p>1. Plt's Motion for Temporary Stay (COAP17-101)</p> <p>2. Plt's Petition for <i>Writ of Supersedeas</i></p> <p>3. Plt's Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>4. Plt's PDR Prior to a Decision of COA</p>	<p>1. Allowed 02/13/2017 Dissolved 05/03/2017</p> <p>2. Dismissed as moot</p> <p>3. Dismissed as moot</p> <p>4. Denied</p>
055P17	Harry Williams v. Advance Auto Parts, Inc., and Advance Stores Company, Incorporated, d/b/a Advance Auto Parts	Plt's PDR Under N.C.G.S. § 7A-31 (COA16-625)	Denied

057P17	State v. Bobby Johnson	<p>1. State's PDR Under N.C.G.S. § 7A-31 (COA16-491)</p> <p>2. Def's Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed</p> <p>2. Allowed</p>
058P17	Priscilla Gayle Brookbank v. Heather DiLorenzo Williams and Trenton Blake Williams	<p>1. Def's (Trenton Blake Williams) Notice of Appeal Based Upon a Constitutional Question (COA16-312)</p> <p>2. Def's (Trenton Blake Williams) PDR Under N.C.G.S. § 7A-31</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Denied</p>
059P17	Southern Shores Realty Services, Inc. v. William G. Miller, The Miller Family Limited Partnership, II, LLC, Old Glory III, LLC, Old Glory IV, LLC, Old Glory V, LLC, Old Glory VI, LLC, Old Glory VII, LLC, Old Glory IX, LLC, Old Glory XI, LLC, Old Glory XII, LLC, Old Glory XIII, LLC	<p>1. Defs' PDR Under N.C.G.S. § 7A-31 (COA16-557)</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>
060P17	State v. Jesse Williams	Def's PDR Under N.C.G.S. § 7A-31 (COA16-229)	Denied

062P17	State v. David Campbell Sutton	<p>1. Def's <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA16-405)</p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Denied</p>
069P17	In the Matter of the Foreclosure of Real Property Under a Deed of Trust Executed by Robert C. Collins and Rhonda B. Collins Dated June 20, 2006 and Recorded on June 23, 2006 in Book K-30 at Page 975 in the Macon County Public Registry, North Carolina	Respondents' PDR Under N.C.G.S. § 7A-31 (COA16-655)	Denied
071P17	State v. Perry Lyn Dupree	Def's <i>Pro Se</i> Motion for Petition for Writ of Prohibition	Dismissed
072P17	State v. Lequan Fox	Def's <i>Pro Se</i> Motion for Petition for Writ of Prohibition	Dismissed 03/24/2017

073P17	State v. Laurice D. Boston	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Pitt 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>
075P17	Owren Loan Servicing, Bank of New York Mellon v. Margaret Ann Reaves	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP16-927)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>3. Def's <i>Pro Se</i> Motion to Extend Time</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p> <p>3. Dismissed as moot</p>
076P17	George Burns, Mark McCann, and Charles Bartlett, Trustees of Park's Chapel Free Will Baptist Church v. Kingdom Impact Global Ministries, Inc.	Def's PDR Under N.C.G.S. § 7A-31 (COA15-1313)	Denied

080P17	State v. Samuel Allen Taylor	<p>1. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>3. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied</p> <p>2. Dismissed as moot</p> <p>3. Allowed</p>
082P17	State v. Michael Sheridan	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Wake County	Denied
084P17	In the Matter of: S.C.H. and J.A.H., Jr.	Respondent-Father's PDR Under N.C.G.S. § 7A-31	Denied
086P17	State v. Tara May Frazier	State's PDR Under N.C.G.S. § 7A-31 (COA16-449)	Denied
090P17	State v. Gregory Monroe	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Dismissed
092P17	State v. Samuel Baker	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA16-645)	Denied

093P17	State v. Henry Arthur Little	<p>1. Def's <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA16-480)</p> <p>2. Def's <i>Pro Se</i> 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>
094P17	State v. Edward Charles Green	Def's <i>Pro Se</i> Motion for Voter Fraud Dismissal	Dismissed
096P17	State v. Darryll Douglas Clay	<p>1. Def's Notice of Appeal Based Upon a Constitutional Question (COA16-564)</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>
098P17	State v. Almedeo Eugene Stewart	Def's PDR Under N.C.G.S. § 7A-31 (COA16-347)	Denied
100P17	State v. Christopher Jason Hudson	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA16-431)	Denied
101P17	State v. Caleb J. Lucky, III	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied

103P17	State v. Earl Wayne Flowers	Petitioner's <i>Pro Se</i> Petition for a <i>Writ of Habeas Corpus</i>	Denied 04/07/2017
104P11-9	State v. Titus Batts	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP16-705)	Dismissed Ervin, J., recused
105P17	State v. Jimmy Reid	Def's <i>Pro Se</i> Motion for Notice of Appeal (COAP17-172)	Dismissed <i>ex mero motu</i> Ervin, J., recused
108P17	State v. Jesse C. Santifort	1. State's Motion for Temporary Stay (COA17-202) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's Petition for <i>Writ of Certiorari</i> to Review Order of COA 4. State's Motion to Amend Petition for <i>Writ of Certiorari</i>	1. Denied 04/18/2017 2. Denied 04/18/2017 3. Denied 04/18/2017 4. Allowed 04/18/2017
109P17	In Re: Olander R. Bynum	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Dismissed
111P17	Grace Justice Johnson v. Glenwood F. Johnson	1. Def's <i>Pro Se</i> Motion for PDR (COAP16-840) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Denied 2. Allowed

112P17	State v. Antonio Shontari Farrar	<p>1. State's Motion for Temporary Stay (COA16-679)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed 04/10/2017</p> <p>2.</p>
115P17	State v. Dean Michael Varner	<p>1. State's Motion for Temporary Stay (COA16-591)</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 04/12/2017</p> <p>2.</p> <p>3.</p>
117P17	Yahudah Washitaw of East Terra Indians, David Hopskins, Kerklon Stackhouse, Maurice Stackhouse (Deceased), Shawn Singletary, and Betty Singletary v. PHH Mortgage Corporation, JP Morgan Chase BK NA, Nations Star, CIT Group/Sales Financing Inc., and State of North Carolina	Petitioners' <i>Pro Se</i> Motion for Removal from State Court	Dismissed

124P17	State v. Byron Bernard Sadler	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Mecklenburg County 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Dismissed 2. Allowed
129A96-2	State v. Carlton Eugene Anderson	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Jackson County 2. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed 2. Dismissed as moot
132P17	State v. Eddie Levord Taylor	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 04/24/2017
135P17	Celia A. Bell, Employee v. Goodyear Tire and Rubber Company, Employer, Liberty Mutual Insurance Company, Carrier	1. Def's Motion for Temporary Stay (COA15-1299) 2. Def's Petition for <i>Writ of Supersedeas</i>	1. Allowed 04/26/2017 2.
155A16	Old Republic National Title Insurance Company, et al. v. Hartford Fire Insurance Company, et al.	Def's (Hartford Fire Insurance Company) Petition for Rehearing	Denied
158P06-11	State v. Derrick D. Boger	Def's <i>Pro Se</i> Motion for Appeal for <i>Writ of Parole</i>	Dismissed

223PA16	North Carolina Department of Public Safety v. Chauncey John Ledford	Petitioner's Motion to Withdraw Appeal	Allowed 04/03/2017
232P01-4	State v. Michael Eugene Reed, II	Def's <i>Pro Se</i> Motion for PDR (COAP17-66)	Dismissed Hudson, J., recused
237P16-3	Avery M. Riggsbee v. W. Baine Jones, Jr., Judge Government Employees	Plt's <i>Pro Se</i> Motion for Grant of Non- Stop Payout by Defendants	Dismissed
245A08-2	State v. Terrance Lowell Hyman	1. State's Motion for Temporary Stay (COA16-398) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's Notice of Appeal Based Upon a Dissent 4. State's PDR as to Additional Issues 5. State's Petition for <i>Writ of Certiorari</i> to Review Decision of COA 6. Def's Motion to Dismiss Appeal	1. Allowed 03/10/2017 2. Allowed 3. --- 4. Dismissed 5. Allowed 6. Denied

254P04-2	State v. Charles Francis Graham	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Mecklenburg 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>
266P16-2	State v. Timothy Terrell Crandell	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COAP17-41)</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>
315PA15-2	Quality Built Homes Incorporated and Stafford Land Company, Inc. v. Town of Carthage	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA15-115-2)</p> <p>2. N.C. Water Quality Association and Seven Municipalities' Conditional Motion for Leave to File <i>Amicus</i> Brief</p>	<p>1. Allowed</p> <p>2. Allowed</p>
330A16	Allscripts Healthcare, LLC v. Etransmedia Technology, Inc.	Motion to Admit Dana L. Salazar <i>Pro Hac Vice</i>	Allowed 03/24/2017

330A16	Allscripts Healthcare, LLC v. Etransmedia Technology, Inc.	Plt's Motion to Withdraw Appeal	Allowed 04/20/2017
344P16	State v. Richard Pridgen	1. Def's PDR Under N.C.G.S. § 7A-31 (COA16-75) 2. State's Motion for Withdrawal and Substitution of Counsel	1. Denied 2. Allowed
345P16-3	State v. Dwayne Demont Haizlip	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 04/13/2017 Ervin, J., recused

346P16	Gurney B. Harris v. Southern Commercial Glass, Auto Owners Insurance, and Southeastern Installation, Inc., Cincinnati Insurance Company	<p>1. Defs' (Southeastern Installation, Inc. and Cincinnati Insurance Company) Motion for Temporary Stay (COA15-1363)</p> <p>2. Defs' (Southeastern Installation, Inc. and Cincinnati Insurance Company) <i>Writ of Supersedeas</i></p> <p>3. Defs' (Southeastern Installation, Inc. and Cincinnati Insurance Company) PDR Under N.C.G.S. § 7A-31</p> <p>4. Defs' (Southeastern Installation, Inc. and Cincinnati Insurance Company) Motion to Hold PDR in Abeyance</p> <p>5. Defs' (Southeastern Installation, Inc. and Cincinnati Insurance Company) Motion for Leave to Withdraw PDR</p>	<p>1. Allowed 09/20/2016 Dissolved 03/16/2017</p> <p>2. Dismissed as moot</p> <p>3. ---</p> <p>4. Allowed 01/26/2017</p> <p>5. Allowed</p>
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350P16	TD Bank, N.A. v. Eagles Crest at Sharp Top, LLC, John W. Holdsworth, and John H. Seats	Defs' PDR Under N.C.G.S. § 7A-31 (COA15-807)	Allowed
356P16	Virginia Radcliffe v. Avenel Homeowners Association, Inc., Carmelo (Tony) Buccafurri, Stephen Murray, Thomas Dinero, David Hull, Richard Progelhof, and Ron Zanzarella	<p>1. Plt's Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA15-884)</p> <p>2. Plt's Motion to Treat Petition for <i>Writ of Certiorari</i> as a PDR</p> <p>3. Defs' Joint Response to Plt's Motion to Treat Petition for <i>Certiorari</i> as Motion for Discretionary Review and Defs' Motion in the Alternative to File Supplemental Response to Plt's Petition</p>	<p>1. Denied</p> <p>2. Allowed</p> <p>3. Denied</p>
382P10-6	State v. John Lewis Wray, Jr.	Def's <i>Pro Se</i> Motion for Review	Dismissed Beasley, J., recused

382P16	Desiree King, by and through Her Guardian ad Litem, G. Elvin Small, III; and Amber M. Clark, Individually v. Albemarle Hospital Authority d/b/a Albemarle Health/Albemarle Hospital; Sentara Albemarle Regional Medical Center, LLC d/b/a Sentara Albemarle Medical Center; Northeastern Ob/Gyn, Ltd.; Barbara Ann Carter, M.D.; and Angela McWalter, CNM	<p>1. Defs' (Albemarle Hospital Authority d/b/a Albemarle Health/Albemarle Hospital and Sentara Albemarle Regional Medical Center, LLC, d/b/a Sentara Albemarle Medical) PDR Under N.C.G.S. § 7A-31 (COA15-1190)</p> <p>2. Defs' (Northeastern Ob/Gyn, Ltd., Barbara Ann Carter, M.D., and Angela McWalter, CNM) PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed</p> <p>2. Allowed</p>
386P16	State v. Quentin Lee Dick	<p>1. State's Motion for Temporary Stay (COA15-1400)</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 10/14/2016</p> <p>2. Allowed</p> <p>3. Allowed</p>

395P14	Lois A. Sauls v. Roland Gary Sauls	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA14-41)</p> <p>2. Plt's Motion for Sanctions</p> <p>3. Def's Motion for Issuance of Stay</p> <p>4. Def's Motion to Withdraw PDR</p> <p>5. Plt's Motion for Leave to Withdraw Response to PDR and Motion for Sanctions</p>	<p>1. ---</p> <p>2. ---</p> <p>3. Dismissed as moot</p> <p>4. Allowed</p> <p>5. Allowed</p>
407P03-3	State v. Phillip Vance Smith, II	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Dismissed</p> <p>2. Allowed</p>
410P16	State v. Joshua Sanchez	<p>1. State's Motion for Temporary Stay (COA15-1401)</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 11/07/2016</p> <p>2. Allowed</p> <p>3. Allowed</p>

449P11-16	State v. Charles Everette Hinton	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i></p> <p>2. Def's <i>Pro Se</i> Motion for Full Evidentiary Hearing and Trial <i>De Novo</i></p> <p>3. Def's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>4. Def's <i>Pro Se</i> Motion for Trial <i>De Novo</i></p> <p>5. Def's <i>Pro Se</i> Motion for Trial By Jury</p>	<p>1. Dismissed</p> <p>2. Dismissed</p> <p>3. Dismissed as moot</p> <p>4. Dismissed</p> <p>5. Dismissed</p> <p>Ervin, J., recused</p>
454P16	State v. Andrew Robert Holloway	<p>1. State's Motion for Temporary Stay (COA16-381)</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 12/20/2016 Dissolved 05/03/2017</p> <p>2. Denied</p> <p>3. Denied</p>
460P16	In the Matter of: D.P. and B.P.	Respondent- Mother's PDR Under N.C.G.S. § 7A-31 (COA16-529)	Denied
462P16	State v. David Lee Applewhite	Def's PDR Under N.C.G.S. § 7A-31 (COA16-335)	Denied

505P96-3	State v. Melvin Lee White (DEATH)	Def's Motion for Extension of Time to File Petition for <i>Writ of Certiorari</i>	Allowed 04/13/2017
538P13-2	State v. Ronald Wayne Spann	<p>1. Def's Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP16-909)</p> <p>2. Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Caldwell County</p>	<p>1. Dismissed</p> <p>2. Dismissed</p> <p>Ervin, J., recused</p>