

SUPREME COURT OF NORTH CAROLINA

**PETITIONS
03 June 2020**

3A20	State v. Bryan Xavier Johnson	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas 3. Def's Notice of Appeal Based Upon a Dissent	1. Allowed 01/07/2020 2. Allowed 3. ---
6P20	State v. Datrel K'Chaun Lyons	Def's PDR Under N.C.G.S. § 7A-31	Denied
26P10-4	Jorge Gevara v. Clerk Jane Doe of Anson County Courthouse	Petitioner's Pro Se Petition for Writ of Mandamus	Denied
49A20	State v. Faye Larkin Meader	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas 3. Def's Notice of Appeal Based Upon a Dissent	1. Allowed 02/07/2020 2. Allowed 06/01/2020 3. ---
54A19-3	State v. Rogelio Albino Diaz-Tomas	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas 3. Def's Notice of Appeal Based Upon a Dissent	1. Allowed 04/21/2020 2. Allowed 3. ---

55P20	State of North Carolina, <i>ex rel.</i> , Michael S. Regan, Secretary, North Carolina Department of Environmental Quality, Division of Waste Management v. WASCO, LLC	Def's PDR Under N.C.G.S. § 7A-31	Denied
58P20	State v. Timothy Jerome Midgette	1. Def's Notice of Appeal Based Upon a Constitutional Question 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal 4. State's Motion to Accept Response as if Timely Filed	1. Dismissed <i>ex mero motu</i> 2. Denied 3. Dismissed as moot 4. Dismissed as moot
60P17-2	State v. Jesse Williams	Def's Pro Se Petition for Writ of Mandamus	Dismissed
60A20	Ashley Deminski, as guardian <i>ad Litem</i> on behalf of C.E.D., E.M.D., and K.A.D. v. The State Board of Education, and the Pitt County Board of Education	1. Plt's Notice of Appeal Based Upon a Dissent 2. Plt's Notice of Appeal Based Upon a Constitutional Question 3. Plt's PDR as to Additional Issues	1. --- 2. Dismissed <i>ex mero motu</i> 3. Allowed
69A20	In the Matter of: A.M.L., G.J.L., B.J.B., J.E.B., T.R.B., Jr.	Respondent-Mother's Motion to Deem Brief Timely Filed	Allowed 05/28/2020
74P20	State v. Damion McCormick	Def's Pro Se PDR Under N.C.G.S. § 7A-31	Denied

75P20	State v. Jesus Martinez-Vasquez	<p>1. Def's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Guilford County</p> <p>2. Def's Pro Se Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's Pro Se Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p>
89P19-2	State v. Brian Keith Robinson	Def's Pro Se Motion for PDR	Denied
96P20	State v. Harold Daeshaun Sanders	<p>1. Def's Pro Se PDR Under N.C.G.S. § 7A-31</p> <p>2. Def's Pro Se Motion to Appoint Counsel</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>
97P20	State v. Antiwuan Tyrez Campbell	Def's Petition for Writ of Certiorari to Review Decision of the COA	Special Order
99A20	In the Matter of: J.E.B., II	<p>1. Respondent-Mother's Petition for Writ of Certiorari to Review Decision of District Court, Gaston County</p> <p>2. Petitioner's Motion to Dismiss Appeal</p> <p>3. Guardian <i>ad Litem's</i> Motion to Dismiss Appeal</p>	<p>1. Allowed 05/07/2020</p> <p>2. Allowed 05/07/2020</p> <p>3. Allowed 05/07/2020</p>
106P20	Anton Zachary Zak v. Shannon Denise Sweatt	<p>1. Def's PDR Under N.C.G.S. § 7A-31</p> <p>2. Def's Petition for Writ of Certiorari to Review Order of District Court, Moore County</p>	<p>1. Denied</p> <p>2. Denied</p>

119P20	State v. Brandon Alan Parker	Def's PDR Under N.C.G.S. § 7A-31	Allowed
133P20	Louann Novack v. Edward Kosciuszko	Plt's PDR Under N.C.G.S. § 7A-31	Denied
135P20	Wetherington v. NC Department of Public Safety, NC Highway Patrol	<p>1. Respondent's Motion for Temporary Stay</p> <p>2. Respondent's Petition for Writ of Supersedeas</p> <p>3. Respondent's PDR Under N.C.G.S. § 7A-31</p> <p>4. North Carolina Fraternal Order of Police and National Fraternal Order of Police's Motion for Leave to File Amicus Brief in Support of Response to PDR</p>	<p>1. Allowed 03/25/2020 Dissolved 06/03/2020</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Denied</p>
137P20	Paul Kipland Mace v. North Carolina Department of Insurance	Petitioner's PDR Under N.C.G.S. § 7A-31	Denied
142PA18	DTH Media Corp. et al. v. Folt et al.	Def's Motion to Stay the Mandate	Special Order 05/20/2020
150P20	In the Matter of: S.R.	Respondent-Father's Pro Se PDR Under N.C.G.S. § 7A-31	Denied
152P20	State v. Kelvin Melton	Def's Pro Se Motion for Notice of Motion for Hearing	Dismissed

166P20	State v. Willie White	<p>1. Def's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Iredell County</p> <p>2. Def's Pro Se Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's Pro Se Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p>
167P20	TD Bank USA, N.A. as Successor-in-Interest to Target National Bank v. Abdolhossain Motealleh	Def's Pro Se Motion for Notice of Appeal to PDR	Denied
168P20	Walter Haywood Willoughby v. Public Officer	<p>1. Plt's Pro Se Motion for Notice of Estoppel and Stipulation of Constitutional Challenge</p> <p>2. Plt's Pro Se Motion to Intervene with an Injunction</p>	<p>1. Dismissed</p> <p>2. Dismissed</p>
169P20	State v. Fernando Hernandez	Def's Pro Se Motion for Writ of Rights Enactment Clause	Dismissed
170P20	Bernica Van Yelverton v. Public Officer	<p>1. Plt's Pro Se Motion for Notice of Estoppel and Stipulation of Constitutional Challenge</p> <p>2. Plt's Pro Se Motion to Intervene with an Injunction</p> <p>3. Plt's Pro Se Motion for Second Notice and Opportunity to Cure</p>	<p>1. Dismissed</p> <p>2. Dismissed</p> <p>3. Dismissed</p>

171P20	Anthony Eugene Yelverton v. Public Officer	1. Plt's Pro Se Motion for Notice of Estoppel and Stipulation of Constitutional Challenge 2. Plt's Pro Se Motion to Intervene with an Injunction	1. Dismissed 2. Dismissed
172P20	Dilila Latrice Spencer v. Public Officer	1. Plt's Pro Se Motion for Notice of Estoppel and Stipulation of Constitutional Challenge 2. Plt's Pro Se Motion to Intervene with an Injunction	1. Dismissed 2. Dismissed
175P20	State v. Toriano Leverne White	1. Petitioner's Pro Se Motion to Place Hawkins on Administrative Leave 2. Petitioner's Pro Se Motion for Criminal Charges be Filed Against All Staff Participating in Treason	1. Dismissed 2. Dismissed
176P20	Erinn Denise Watkins v. Public Officer	1. Plt's Pro Se Motion to Correct Typographical Error 2. Plt's Pro Se Motion for Notice of Estoppel and Stipulation of Constitutional Challenge 3. Plt's Pro Se Motion to Intervene with an Injunction	1. Dismissed 2. Dismissed 3. Dismissed
181A93-4	State v. Rayford Lewis Burke	Def's Motion to Take Notice of State's Filing	Allowed Ervin, J., recused

181P20	State v. Alforinza A. Parks, Jr.	1. Def's Pro Se Motion for Appropriate Relief 2. Def's Pro Se Motion to Appoint Counsel	1. Dismissed 2. Dismissed as moot
184A20	State v. Fabiola Rosales Chavez	1. State's Motion for Temporary Stay 2. State's Petition for Writ of Supersedeas 3. State's Notice of Appeal Based Upon a Dissent	1. Allowed 04/24/2020 2. Allowed 05/18/2020 3. ---
186P17-3	State v. Lenwood Lee Paige	1. Def's Pro Se Petition for Writ of Certiorari to Review Decision of the COA 2. Def's Pro Se Motion to Proceed <i>In Forma Pauperis</i>	1. Dismissed 2. Allowed Hudson, J., recused
194P03-6	State v. Edwin Wayne Joyce	1. Def's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Randolph County 2. Def's Pro Se Petition for Writ of Habeas Corpus	1. Dismissed 05/05/2020 2. Denied 05/05/2020 Ervin, J., recused
194P03-7	State v. Edwin Wayne Joyce	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 05/13/2020 Ervin, J., recused
194P20	Hall v. State of NC et al.	Pro Se Petition for Writ of Habeas Corpus	Denied 05/08/2020

195P20	State v. James Lloyd Money	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas 3. Def's Motion to Dissolve the Temporary Stay	1. Allowed 05/08/2020 2. Dismissed as moot 05/28/2020 3. Allowed 05/28/2020
197P20	State v. Jeremy Johnson	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas 3. Def's PDR Under N.C.G.S. § 7A-31	1. Allowed 05/11/2020 2. 3.
198P20	State v. Rapheall William Knotts	Def's Pro Se Motion for Plea in the Jurisdiction	Denied 05/11/2020
200P20	In the Matter of: Timothy Thomas	Petitioner's Pro Se Petition for Writ of Habeas Corpus	Dismissed 05/11/2020
210P16-5	Martin v. State of North Carolina, et al.	Petitioner's Pro Se Motion for Appeal from Interlocutory Order	Denied 05/07/2020
217P20	State v. Ricardo Joseph Botts	1. Def's Emergency Petition for Writ of Prohibition 2. Def's Motion to Supplement	1. Denied 05/21/2020 2. Allowed 05/21/2020

218P14-2	State v. Winfred Scott Simpson	1. Def's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Guilford County 2. Def's Pro Se Motion to Appoint Counsel	1. Dismissed 2. Dismissed as moot
219P20	State v. Justin Marqui Caldwell	Def's Pro Se Motion for a Fast and Speedy Trial	Dismissed 05/21/2020
221P20	Charles A. Rippy, Jr. v. Eric Hooks, Secretary North Carolina Department of Public Safety	Petitioner's Pro Se Petition for Writ of Habeas Corpus	Denied 05/27/2020
225A20	State v. Robert Prince	1. State's Motion for Temporary Stay 2. State's Petition for Writ of Supersedeas	1. Allowed 05/26/2020 2.
227P20	State v. Gary M. Alston	Def's Pro Se Motion to Release Inmate/Modify Judgment	Dismissed 05/27/2020
233A20	State v. Johnathan Ricks	1. State's Motion for Temporary Stay 2. State's Petition for Writ of Supersedeas	1. Allowed 05/27/2020 2.
245P20	Bel Dakota Limited Partnership v. Victor Channing	1. Def's Pro Se Motion for Temporary Stay 2. Def's Pro Se Petition for Writ of Supersedeas 3. Def's Pro Se Petition for Writ of Certiorari to Review Order of N.C. Court of Appeals	1. Denied 06/03/2020 2. Denied 06/03/2020 3. Denied 06/03/2020

254P20	State v. Nadine D. Stubbs	1. Def's Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas	1. Allowed 06/03/2020 2.
272A14	State v. Jonathan Douglas Richardson	Def's Pro Se Motion to Set Deadline for Full Appeal or Execution	Dismissed
311A19	State v. Ricky Franklin Charles	State's Motion to Take Judicial Notice	Special Order 05/18/2020
312A19	Ha, et al. v. Nationwide General Insurance Company	1. Def's Notice of Appeal Based Upon a Dissent 2. Amicus Curiae's (North Carolina Rate Bureau) Motion to Participate in Oral Argument	1. --- 2. Denied 05/13/2020
315PA18-2	Cooper v. Berger, et al.	1. State of North Carolina's Motion for Leave to File an Amicus Brief 2. Defs' Motion for Extension of Time to File Brief 3. Defs' Motion to Set Briefing Schedule as Provided in the Motion	1. Allowed 05/19/2020 2. Allowed 05/22/2020 3. Allowed 05/22/2020
339A18	The New Hanover County Board of Education v. Josh Stein, in his capacity as Attorney General of the State of North Carolina and North Carolina Coastal Federation and Sound Rivers, Inc., Intervenors	Plt's Petition for Rehearing	Special Order 05/18/2020

364P93-2	State v. Kenneth B. Sidberry, Jr.	Def's Pro Se Motion for PDR	Dismissed
388A10	State v. Andrew Darrin Ramseur	Def's Motion to Take Judicial Notice	Denied
443P19	State v. Willie Lee Martin, III	1. Def's Notice of Appeal Based Upon a Constitutional Question 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal	1. --- 2. Denied 3. Allowed
446P19	Douglas Hoyt McMillan v. Shelly Diane McMillan	1. Plt's PDR Under N.C.G.S. § 7A-31 2. Plt's Motion to Deem PDR Timely 3. Plt's Petition in the Alternative for Writ of Certiorari to Review Decision of the COA	1. Dismissed <i>ex mero motu</i> 2. Denied 3. Denied
449P11-24	Charles Everette Hinton v. State of North Carolina, et al.	1. Plt's Pro Se Motion for Notice of Objections 2. Plt's Pro Se Motion for Demands for Trial by Jury and for Jury Trial	1. Dismissed 2. Dismissed Ervin, J., recused
473P19	State v. Jaquail Donaven Alston	Def's PDR Under N.C.G.S. § 7A-31	Denied
477A19	In re: R.S.P., J.J.P.	Respondent-Mother's Motion to Withdraw Appeal	Allowed 06/01/2020

483P19	In re: Gary Gilley	Petitioner's Pro Se Petition for Writ of Mandamus	Dismissed
488P99-2	State v. Michael Deon Parker	1. Def's Pro Se Motion for PDR 2. Def's Pro Se Motion to Proceed <i>In Forma Pauperis</i> 3. Def's Pro Se Petition for Writ of Mandamus	1. Denied 2. Allowed 3. Denied Ervin, J., recused
542P97-4	State v. Terrence L. Wright	1. Def's Pro Se Petition for Writ of Certiorari to Review Order of the COA 2. Def's Pro Se Motion to Appoint Counsel	1. Dismissed 2. Dismissed as moot
580P05-17	In re: David Lee Smith	1. Petitioner's Pro Se Petition for Writ of Mandamus 2. Petitioner's Pro Se Emergency Petition for Writ of Mandamus 3. Petitioner's Pro Se Motion for Appropriate Emergency Relief	1. Denied 2. Denied 3. Denied Ervin, J., recused