

**SUPREME COURT OF NORTH CAROLINA**

**PETITIONS**

**8 June 2017**

003P17	Kelly F. Lewis, Employee v. Transit Management of Charlotte, Employer, Self-Insured (Compensation Claims Solutions, Third-Party Administrator)	<p>1. Plt's PDR Under N.C.G.S. § 7A-31 (COA16-69)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. Joint Motion for Leave to Withdraw Petitions for Discretionary Review</p>	<p>1. ---</p> <p>2. ---</p> <p>3. Allowed</p>
007P17	In the Matter of:  J.A.M.	<p>1. Petitioner's PDR Under N.C.G.S. § 7A-31 (COA16-563)</p> <p>2. Petitioner's Motion for Temporary Stay</p> <p>3. Petitioner's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed</p> <p>2. Allowed <b>01/10/2017</b></p> <p>3. Allowed</p>

015P16-2	State v. Jose Luis Dominguez	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of the COA (COA16-919)</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. Denied</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p> <p><b>Jackson, J., recused</b></p>
023P17	Dawson F. Neckles v. Harris Teeter and Travelers	Def's PDR Under N.C.G.S. § 7A-31 (COA16-569)	Special Order
034P17	Danny Keith Hopper, Employee v. Charlton L. Allen, Chairman, The North Carolina Industrial Commission	<p>1. Petitioner's PDR Under N.C.G.S. § 7A-31 (COAP16-921)</p> <p>2. Petitioner's Petition in the Alternative for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>3. Petitioner's Motion for Writ of Prohibition</p> <p>4. Petitioner's Motion for Addendum to PDR, Petition for <i>Writ of Certiorari</i> and Motion for Writ of Prohibition</p>	<p>1. Dismissed</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Dismissed as moot</p>

049P17	William G. Larsen and Robert Stephen Allen v. The Arlington Condominium Owners Association, Inc. and Arlington Residential Holdings, LLC	Def's (The Arlington Condominium Owners Association, Inc.) PDR Under N.C.G.S. § 7A-31 (COA16-618)	Denied
056P17	Dr. Robert Corwin as Trustee for the Beatrice Corwin Living Irrevocable Trust, on Behalf of a Class of Those Similarly Situated v. British American Tobacco PLC; Reynolds American, Inc.; Susan M. Cameron; John P. Daly; Neil R. Withington; Luc Jobin; Sir Nicholas Scheele; Martin D. Feinstein; Ronald S. Rolf; Richard E. Thornburgh; Holly K. Koepfel; Nana Mensah; Lionel L. Nowell, III; John J. Zillmer; and Thomas C. Wajnet	<p>1. Def's (British American Tobacco PLC) Motion for Temporary Stay (COA15-1334)</p> <p>2. Def's (British American Tobacco PLC) Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's (British American Tobacco PLC) PDR Under N.C.G.S. § 7A-31</p> <p>4. Gary A. Bornstein's Motion to be Admitted <i>Pro Hac Vice</i></p> <p>5. Jason M. Leviton's Motion to be Admitted <i>Pro Hac Vice</i></p> <p>6. W. Andrew Copenhaver's Consent Motion for Leave to Withdraw</p>	<p>1. Allowed <b>02/20/2017</b></p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. Allowed</p> <p>5. Allowed</p> <p>6. Allowed</p>

064P17	<p>In re the Appeal by:</p> <p>Toney L. Harrell and Harrell's Land Development Co., Inc. v. The Midland Board of Adjustment and the Town of Midland</p>	<p>1. Petitioners' PDR Under N.C.G.S. § 7A-31 (COA16-646)</p> <p>2. Respondent's (Town of Midland) Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>
065P17	<p>State v. Jeffrey Robert Parisi</p>	<p>1. State's Motion for Temporary Stay (COA16-635)</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>02/24/2017</b> Dissolved <b>06/08/2017</b></p> <p>2. Denied</p> <p>3. Denied</p>
067P17	<p>Robbie Dean Terry, et al. v. State of North Carolina, et al.</p>	<p>1. Plts' PDR Under N.C.G.S. § 7A-31 (COA16-153)</p> <p>2. Defs' Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p>

074P17	Nathaniel Bryant and Joseph L. Gillespie v. Charles Wilbur Bryant and Carl Bryant	<p>1. Plt's (Nathaniel Bryant) <i>Pro Se</i> Motion for Temporary Stay</p> <p>2. Plt's (Nathaniel Bryant) <i>Pro Se</i> Petition for <i>Writ of Supersedeas</i></p> <p>3. Plt's (Nathaniel Bryant) <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Chatham County</p>	<p>1. Denied <b>03/13/2017</b></p> <p>2. Denied <b>03/14/2017</b></p> <p>3. Dismissed</p>
079P17	State v. Jimmy Allen Roberts	<p>1. Def's <i>Pro Se</i> Motion for Notice of Appeal (COAP17-135)</p> <p>2. Def's <i>Pro Se</i> Motion for PDR</p> <p>3. Def's <i>Pro Se</i> Motion for Judicial Notice</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Dismissed</p> <p>3. Dismissed as moot</p> <p><b>Ervin, J., recused</b></p>

088P17	<p>G.S.C. Holdings, LLC; T and A Amusements, LLC; and Crazie Overstock Promotions, LLC v. Patrick McCrory, in his Official Capacity as Governor of the State of North Carolina; Frank L. Perry, in his Official Capacity as Secretary of the North Carolina Department of Crime Control and Prevention; Mark J. Senter, in his Official Capacity as Branch Head of the Alcohol Law Enforcement Division; Shannon Craddock, in his Official Capacity as the Chief of Police of the City of Archdale, North Carolina; and Maynard B. Reid, Jr., in his Official Capacity as the Sheriff of Randolph County</p>	<p>Defs' (McCrory, Perry, Senter and Craddock) PDR Under N.C.G.S. § 7A-31) (COA16-160)</p>	<p>Denied</p>
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089P17	T and A Amusements, LLC; and Crazie Overstock Promotions, LLC v. Patrick McCrory, in his Official Capacity as Governor of the State of North Carolina; Frank L. Perry, in his Official Capacity as Secretary of the North Carolina Department of Public Safety; Mark J. Senter, in his Official Capacity as Branch Head of the Alcohol Law Enforcement Division; Jody Williams, in his Official Capacity as the Chief of Police of the City of Asheboro, North Carolina; and Maynard B. Reid, Jr., in his Official Capacity as the Sheriff of Randolph County	Defs' (McCrory, Perry, Senter, and Williams) PDR Under N.C.G.S. § 7A-31 (COA16-161)	Denied
091P17	Arvel Lee Gentry, a/k/a Arvel Lee, Orville Gentry v. Gary Brooks, Steven Franklin, Sandy McDevitt, Van Franklin (Life Tenant), and J.C. Gentry	Respondents' (Brooks, Franklin, McDevitt, and Franklin) PDR Under N.C.G.S. § 7A-31 (COA16-614)	Denied
099P17	Mary N. Gurganus v. Charles M. Gurganus	Def's PDR Under N.C.G.S. § 7A-31 (COA16-163)	Denied

104P17	Alonza H. Ward, Jr., and Marie W. Ward v. Laura C. Ward	1. Def's Notice of Appeal Based Upon a Constitutional Question (COA16-832)  2. Def's PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>ex mero motu</i>  2. Denied
106P17	Tropic Leisure Corp., Magen Point Inc. d/b/a Magens Point Resort v. Jerry A. Hailey	1. Plts' Notice of Appeal Based Upon a Constitutional Question (COA15-1254-2)  2. Plts' PDR Under N.C.G.S. § 7A-31  3. Virgin Islands Bar Association's Conditional Motion for Leave to File <i>Amicus</i> Brief	1. Dismissed <i>ex mero motu</i>  2. Denied  3. Dismissed as moot
107P17	State v. Teon Jamell Williams	Def's PDR Under N.C.G.S. § 7A-31 (COA16-592)	Denied
113P17	State v. Linzie Lee Swink	1. Def's Notice of Appeal Based Upon a Constitutional Question (COA16-89)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed



116P17	State v. Kevin Antwan Shepherd	1. Def's <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA16-9335)  2. Def's <i>Pro Se</i> PDR Under 77A	1. Dismissed <i>ex mero motu</i>  2. Denied
118P17	State v. Herbert Lee Stroud	1. Def's Notice of Appeal Based Upon a Constitutional Question (COA16-59)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed
119P17	State v. Tardra Eterell Bouknight	Def's PDR Under N.C.G.S. § 7A-31 (COA16-544)	Denied
121P17	State v. Manuel Enrique Santana, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA16-691)	Denied
124A16	Jillian Murray v. The University of North Carolina at Chapel Hill	1. Def's Motion for Judicial Notice (COA15-375)  2. State's Motion for Withdrawal of Counsel	1. Allowed  2. Allowed <b>12/08/2016</b>
125P17	State v. Paul Anthony Ramey	Def's <i>Pro Se</i> Motion for Petition for Rehearing <i>En Banc</i> (COA16-876)	Dismissed

126P17	State v. John Owen Jacobs	Def's PDR Under N.C.G.S. § 7A-31 (COA16-464)	Allowed
127P17	Plasman v. Decca Furniture (WA), Inc., et al.	Plt's Motion for Extension of Time to Respond to Motion to Dismiss Portions of PDR that are Untimely	Allowed <b>05/15/2017</b>
127P17	Christian G. Plasman, in his Individual Capacity and Derivatively for the Benefit of, on Behalf of and Right of Nominal Party Bolier & Company, LLC. v. Decca Furniture (USA), Inc., Decca Contract Furniture, LLC, Richard Herbst, Wai Theng Tin, Tsang C. Hung, Decca Furniture, Ltd., Decca Hospitality Furnishings, LLC, Dongguan Decca Furniture Co. Ltd., Darren Hudgins, Decca Home, LLC and Elan by Decca, LLC and Bolier & Company, LLC. v. Christian J. Plasman (a/k/a Barrett Plasman)	<p>1. Plaintiff and Third Party Defendant's PDR Prior to a Decision of COA</p> <p>2. Plaintiff and Third Party Defendant's Motion to Consolidate Appeals</p> <p>3. Defs' Motion to Dismiss Portions of PDR that are Untimely</p>	<p>1. Denied</p> <p>2. Denied</p> <p>3. Allowed</p>
128P17	In Re:  Alex Ohara King	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied

130P17	Joan A. Meinck v. City of Gastonia, a North Carolina Municipal Corporation	1. Def's PDR Under N.C.G.S. § 7A-31 (COA16-892)  2. Plt's Conditional PDR Under N.C.G.S. § 7A-31	1. Allowed  2. Allowed
131P17	State v. Francisco Echeverria	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA16-673)	Denied
133P17	State v. Michael Todd Walker	1. Def's PDR Under N.C.G.S. § 7A-31 (COA16-109)  2. State's Motion to Dismiss Appeal	1. Denied  2. Dismissed as moot
134A17	Hildebran Heritage & Development Association, Inc., et al. v. The Town of Hildebran, et al.	Plts' Motion to Dismiss Appeal	Allowed <b>05/16/2017</b>
139P17	State v. Mohammed Nasser Jilani	Def's <i>Pro Se</i> Motion for Writ of Prohibition	Denied
141P17	State v. William Anthony Lesane, Jr.	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP17-147)	Denied <b>05/05/2017</b>
142P17	State v. Terance Germaine Malachi	1. State's Motion for Temporary Stay (COA16-752)  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>05/04/2017</b>  2.

144P17	State v. Kenrick J. Battle	<p>1. State's Motion for Temporary Stay (COA16-1002)</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>05/08/2017</b> Dissolved <b>06/08/2017</b></p> <p>2. Denied</p> <p>3. Denied</p>
145P17	In the Matter of:  A.P.	<p>1. Petitioner's Motion for Temporary Stay (COA16-1010)</p> <p>2. Petitioner's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed <b>05/09/2017</b></p> <p>2.</p>
147P17	State v. Salim Abdu Gould	Def's <i>Pro Se</i> Motion for Appellate Review	Dismissed
149P17	State v. Mohammed N. Jilani	Def's <i>Pro Se</i> Motion for Petition for Writ of Prohibition	Denied
152P17	Steven M. McKenzie v. District Court	Plt's <i>Pro Se</i> Motion for Interlocutory Appeal	Dismissed
153P17	State v. Ailkeem Anthony Norman	<p>1. State's Motion for Temporary Stay</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed <b>05/17/2017</b></p> <p>2.</p>
154P17	State v. Jermaine Derrick Carson, Jr.	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>05/18/2017</b>

155P17	State v. Joe Robert Reynolds	1. Def's Motion for Temporary Stay (COA16-149)  2. Def's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>05/19/2017</b>  2.
156P17	DiCesare, et al. v. The Charlotte-Mecklenburg Hospital Authority	Plts' Motion for Extension of Time to Respond to Petition for <i>Writ of Certiorari</i>	Allowed <b>05/26/2017</b>
158P06-12	State v. Derrick D. Boger	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>05/12/2017</b>
158P06-13	State v. Derrick D. Boger	1. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>  2. Def's <i>Pro Se</i> Motion for Writ for <i>En Banc</i>  3. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	1. Denied  2. Denied <b>05/30/2017</b>  3. Denied
171A17	State v. Daryl Williams	1. State's Motion for Temporary Stay (COA16-684)  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>06/01/2017</b>  2.
173P17	State v. Melvin Leroy Fowler	1. State's Motion for Temporary Stay  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>06/05/2017</b>  2.

175P17	In the Matter of:  T.K.	1. State's Motion for Temporary Stay (COA16-1047)  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>06/05/2017</b>  2.
219P16	Yili Tseng v. Harold Martin, Individually and as Chancellor of North Carolina A&T State University, Benjamin Uwakweh, Individually and as Dean of North Carolina A&T State University, and North Carolina A&T State University	Plt's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA15-739)	Denied
264P16	In the Matter of:  Appeal of Corning Incorporated from the decisions of the Cabarrus County Board of Equalization and Review concerning the valuations of certain real property for tax years 2012 and 2013	Cabarrus County's PDR Under N.C.G.S. § 7A-31 (COA15-954)	Denied

282P16-3	Jeremy Bruns and Jenny Bruns v. Rhonda Bryant, Dalton Bryant, Sr., Dalton Bryant, Jr., Pat McCrory, as Governor of North Carolina, Frank Perry, as Secretary of the North Carolina Department of Public Safety, Anthony Tata, as Secretary of the North Carolina Department of Transportation, Veronica McClain, USAA, and State of North Carolina	<p>1. Plts' <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA16-699)</p> <p>2. Plts' <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p> <p>3. Def's (Dalton Bryant, Jr.) Motion to Dismiss Appeal</p> <p>4. Plts' Motion to Reject, Dismiss, and Strike Response to Notice of Appeal and PDR.</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Denied</p> <p>3. Dismissed as moot</p> <p>4. Denied</p>
309P15-2	State v. Reginald Underwood Fullard	Def's <i>Pro Se</i> Motion for Petition for Direct Review (COAP14-265)	Dismissed
330P13-3	State v. William Curtis Lowery, Jr.	Def's <i>Pro Se</i> Motion for Appropriate Relief	Dismissed <b>Ervin, J., recused</b>
335PA16	State v. Gyrell Shavonta Lee	<p>1. Motion to Admit Ilya Shapiro <i>Pro Hac Vice</i></p> <p>2. Cato Institute's Motion for Leave to File Amicus Brief</p>	<p>1. Allowed <b>05/18/2017</b></p> <p>2. Allowed <b>05/18/2017</b></p>

341P14-2	State v. Robert McPhail	<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> <p><b>Ervin, J., recused</b></p>
345P16-4	State v. Dwayne Demont Haizlip	<p>1. Def's <i>Pro Se</i> Motion for Petition for Rehearing</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied <b>05/31/2017</b></p> <p>2. Allowed <b>05/31/2017</b></p> <p><b>Ervin, J., recused</b></p>



376P02-6	State v. Robert Wayne Stanley	<p>1. State's Motion for Temporary Stay (COA16-436)</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>4. Def's Motion to Vacate the Temporary Stay</p> <p>5. Def's Motion to Dismiss State's PDR</p>	<p>1. Allowed <b>11/17/2016</b> Dissolved <b>06/08/2017</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Dismissed as moot</p> <p>5. Dismissed as moot</p> <p><b>Ervin, J., recused</b></p>
393P08-2	State v. Dewayne Parker	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>05/17/2017</b>
393P08-3	State v. Dewayne Parker	Def's <i>Pro Se</i> Motion for Writ for <i>En Banc</i>	Denied <b>06/01/2017</b>
427A16	Abrons Family Practice & Urgent Care, P.A., et al. v. N.C. Department of Health and Human Services and Computer Sciences Corporation	Def's (Computer Sciences Corporation) Motion to Withdraw Van H. Beckwith, Bryant C. Boren, and the Firm of Baker Botts, LLP as Counsel	Allowed <b>05/17/2017</b>

461P16	Bolier & Company, LLC and Christian G. Plasman v. Decca Furniture (USA), Inc., Decca Contract Furniture, LLC, Richard Herbst, Wai Theng Tin, Tsang C. Hung, Decca Furniture, Ltd., Decca Hospitality Furnishings, LLC, Dongguan Decca Furniture Co., Ltd., Darren Hudgins and Decca Home v. Christian J. Plasman a/k/a Barrett Plasman, Third-Party Defendant	Plt's (Christian G. Plasman) and Third-Party Defendant's PDR Under N.C.G.S. § 7A-31 (COA15-1219)	Denied
514PA11-2	State v. Harry Sharod James	Motion to Admit Marsha L. Levick <i>Pro Hac Vice</i>	Allowed <b>05/19/2017</b>
597P01-3	State v. Maechel Shawn Patterson	Def's <i>Pro Se</i> Petition for Writ of Certiorari to Review Order of COA (COA17-245)	Dismissed <b>Ervin, J., recused</b>