

SUPREME COURT OF NORTH CAROLINA

PETITIONS

11 June 2021

6P14-3	State v. Daniel Harrison Brennick	Def's Pro Se Motion to Vacate Order	Denied
7P10-2	James Christopher Stitt v. Cumberland County Clerk for Register of Deeds	Petitioner's Pro Se Petition for Writ of Mandamus	Denied 05/26/2021
11P21	Winifred Hauser v. Brookview Women's Center, PLLC and Donald E. Pittaway, MD	Plt's PDR Under N.C.G.S. § 7A-31 (COA19-1073)	Denied Earls, J., recused
22A21	Jerry Mace, Sr. & Mace Grading Co., Inc. v. Scott T. Utley, II, Jody Bell, Energy Partners, LLC & Energy Partners of NC, LLC, Utley Enterprises, LLC d/b/a Energy Partners of Mebane	1. Defs' Notice of Appeal Based Upon a Dissent (COA19-726) 2. Defs' PDR as to Additional Issues	1. --- 2. Allowed
40P21-3	Charlie L. Hardin v. Todd E. Ishee, et al.	Plt's Pro Se Motion for Grievance Due to Harassment and Retaliation	Dismissed
44P21-2	Reginald Anthony Falice v. State of North Carolina	Petitioner's Pro Se Motion for Complaint	Dismissed
54P21	State v. Marc Christian Gettleman, Sr. and Marc Christian Gettleman, II and Darlene Rowena Gettleman	1. Def's (Marc Christian Gettleman, Sr.) PDR Under N.C.G.S. § 7A-31 (COA19-1143) 2. Def's (Darlene Rowena Gettleman) PDR Under N.C.G.S. § 7A-31	1. Denied 2. Denied

60A20	Ashley Deminski, as guardian ad litem 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	<p>1. Plt's Notice of Appeal Based Upon a Dissent (COA18-988)</p> <p>2. Plt's Notice of Appeal Based Upon a Constitutional Question</p> <p>3. Plt's PDR as to Additional Issues</p> <p>4. Def's (Pitt County Board of Education) Motion Suggesting Mootness of Plaintiff's Claims for Injunctive Relief</p>	<p>1. ---</p> <p>2. Dismissed <i>ex mero motu</i> 06/03/2020</p> <p>3. Allowed 06/03/2020</p> <p>4. Dismissed</p>
60P21	In the Matter of: K.S.	<p>1. Petitioner and Guardian ad litem's Motion for Temporary Stay (COA20-271)</p> <p>2. Petitioner and Guardian ad litem's Petition for Writ of Supersedeas</p> <p>3. Petitioner and Guardian ad litem's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 02/05/2021</p> <p>2. Allowed</p> <p>3. Special Order</p>
63P16-3	State v. Michael Anthony York	<p>1. Def's Pro Se Amended Petition for Writ of Certiorari to Review Decision of the COA (COA15-419)</p> <p>2. Def's Pro Se Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Dismissed</p> <p>2. Allowed</p>

67P18-2	Jonathan Eugene Dixon v. Erik A. Hooks, Secretary of N.C. Department of Public Safety, Kenneth Diggs, Warden of Albemarle Correctional Institution	1. Petitioner's Pro Se Petition for Writ of Habeas Corpus 2. Petitioner's Pro Se Motion to Appoint Counsel	1. Denied 05/10/2021 2. Dismissed as moot 05/10/2021 Ervin, J., recused
88P21	Amy Betts v. DHHS, et al.	1. Petitioner's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Cabarrus County 2. Petitioner's Pro Se Motion to Proceed as Indigent	1. Dismissed 2. Allowed
101P21	Epcon Huntersville, LLC, Plaintiff v. Frances Clairmont and Joe Dominguez, Defendants _____ Frances Clairmont and Joe Dominguez, Plaintiffs v. Epcon Huntersville, LLC, Defendant	Plts' (Frances Clairmont and Joe Dominguez) Pro Se Motion for Notice of Appeal Based Upon a Constitutional Question (COA20-471)	Dismissed
105P20-2	State v. Matthew Joseph Taylor	Def's Pro Se Motion for Paternity Test	Dismissed
106P21	State v. Robert Chad Bridges	Def's PDR Under N.C.G.S. § 7A-31 (COA19-838)	Denied Ervin, J., recused

108A21	Volvo Group North America, LLC d/b/a Volvo Trucks North America, a Delaware Limited Liability Company; and Mack Trucks, Inc., a Pennsylvania Corporation v. Roberts Truck Center, Ltd., a Texas Limited Partnership, Roberts Truck Center of Kansas, LLC, a Kansas Limited Liability Company; and Roberts Truck Center Holding Company, LLC, a Texas Limited Liability Company	<p>1. Plts' Motion to Admit Billy M. Donley Pro Hac Vice</p> <p>2. Plts' Motion to Admit J. Keith Russell Pro Hac Vice</p> <p>3. Plts' Motion to Admit William P. Geise Pro Hac Vice</p>	<p>1. Allowed 04/29/2021</p> <p>2. Allowed 04/29/2021</p> <p>3. Allowed 04/29/2021</p>
111P21	In the Matter of the Foreclosure of a Deed of Trust Executed by Walter Reinhardt Dated March 27, 2000 and Recorded in Book 1616 at Page 338 in the Onslow County Public Registry, North Carolina Substitute Trustee: Luke C. Bradshaw, Grady I. Ingle or Elizabeth B. Ellis Record Owner(s): HGGLBT International Express Trust	<p>1. Petitioner's Pro Se Motion for Petition de Droit (COA20-517)</p> <p>2. Petitioner's Pro Se Motion for Appeal</p>	<p>1. Dismissed</p> <p>2. Dismissed</p>
115P21	State v. Emunta Carpenter	Def's PDR Under N.C.G.S. § 7A-31 (COA19-1006)	Denied
116P21	Tammie Counts v. Danny Lee Counts	Def's PDR Under N.C.G.S. § 7A-31	Denied

117P21	Erie Insurance Exchange v. Edward R. Smith; Archie N. Smith, a Minor; Emily A. Tobias, as Administrator of the Estate of John Pinto, Jr., Deceased; Valley Auto World, Inc.; Universal Underwriters Insurance Company; VW Credit Leasing, Ltd.; and Doe Insurance Companies 1-3	1. Defs' (The Smiths) PDR Under N.C.G.S. § 7A-31 (COA20-246) 2. Plt's Conditional PDR Under N.C.G.S. § 7A-31	1. Denied 2. Denied
120P21	In-re: Harley Edwards	Petitioner's Pro Se Motion for PDR (COAP21-104)	Denied
121P21	In the Matter of: V.S. and A.S.	Respondent-Mother's Petition for Writ of Certiorari to Review Order of District Court, Bertie County	Special Order
125P21	State v. Roger Del Herring	Def's Pro Se Petition for Writ of Certiorari to Review Decision of the COA (COA03-1138)	Denied Ervin, J., recused
127P21	TAC Stafford, LLC, a North Carolina Limited Liability Company v. Town of Mooresville, a North Carolina Body Politic and Corporate	1. Def's Motion for Temporary Stay (COAP20-582) 2. Def's Petition for Writ of Supersedeas	1. Denied 04/21/2021 2. Denied 04/21/2021

128A20	James Rickenbaugh and Mary Rickenbaugh, Husband and Wife, Individually and on behalf of all others Similarly Situated v. Power Home Solar, LLC, a Delaware Limited Liability Company	<p>1. Def's Motion for Temporary Stay</p> <p>2. Def's Petition for Writ of Supersedeas</p> <p>3. Def's Petition for Writ of Certiorari to Review Order of Business Court</p> <p>4. Plts' Motion to Dismiss Appeal</p>	<p>1. Allowed 03/20/2020</p> <p>2. Allowed 04/03/2020</p> <p>3. Denied</p> <p>4. Allowed</p>
128P21	State v. Ricky L. Hefner	Def's Pro Se Motion to End Deprivation of Life and Liberty	Denied 05/07/2021
129P15-2	State v. Marqueion Jamal Harrison	Def's Pro Se Motion for a New Trial	Dismissed
129P21	Jessika M. Morgan v. Karen D. McCallum, Presiding Judge Western District 26th Judicial Court	<p>1. Petitioner's Pro Se Petition for Writ of Mandamus</p> <p>2. Petitioner's Pro Se Petition for Writ of Prohibition</p> <p>3. Petitioner's Pro Se Motion to Proceed <i>In Forma Pauperis</i></p> <p>4. Petitioner's Pro Se Motion for Expedited Review</p>	<p>1. Dismissed 04/19/2021</p> <p>2. Dismissed 04/19/2021</p> <p>3. Allowed 04/19/2021</p> <p>4. Dismissed 04/19/2021</p>
131P16-18	State v. Somchai Noonsab	Def's Pro Se Motion to Vacate Imprisonment – Punishment	Dismissed

131P16-19	State v. Somchai Noonsab	Def's Pro Se Motion for Discharge-Vacated and Monetary Relief	Dismissed
133P21	State v. Matthew Benner	Def's PDR Under N.C.G.S. § 7A-31 (COA19-879)	Allowed
134A20	State v. Robert Lee Hodge	The Court's <i>ex mero motu</i> Motion to Remand to Trial Court for Specified Findings of Fact	Special Order 05/05/2021
134P21	In the Matter of: B.M.P.	1. Respondent-Mother's Pro Se Motion to Stay the Mandate Pending a Petition for Writ of Certiorari (COA20-794) 2. Respondent-Mother's Pro Se PDR Under N.C.G.S. § 7A-31	1. Dismissed 04/23/2021 2. Denied
136P21	State v. Ronald Jason Gibson	Def's PDR Under N.C.G.S. § 7A-31 (COA20-219)	Denied
137P07-2	State v. Sherman Wall	Def's Pro Se Petition for Writ of Certiorari to Review Order of Superior Court, Richmond County	Denied 05/28/2021
139P21	State v. Andrew Joe Lea, Jr.	Def's Pro Se Motion to Review Orders	Dismissed
142P21	Lydia Self v. Larry Self	Plt's Pro Se Motion to Modify Custody/Visitation Order	Dismissed
145P21	State v. Marleick Rashaan Jones	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 05/03/2021

146P21	State v. Treyvon Latrell Turner	1. Def's Pro Se Motion for 49 Day Jail Credit 2. Def's Pro Se Motion to Supplement	1. Dismissed 2. Dismissed
148P21	State v. Nathan D. Fowler	Def's Pro Se Motion to Run Consecutive Sentences Concurrently	Dismissed
150P21	State v. Namique Farrow	1. Def's Emergency Motion for Temporary Stay 2. Def's Petition for Writ of Supersedeas	1. Allowed 05/06/2021 2.
151P21	State v. Landon W. Barnes	Def's Pro Se Motion for PDR (COAP21-44)	Dismissed 05/06/2021
152P21	In the Matter of Foreclosure: Falecia Richmond	1. Plt's Pro Se Motion for Notice of Appeal (COAP20-545) 2. Plt's Pro Se Motion for Injunctive Relief 3. Plt's Pro Se Motion to Reconsider	1. Denied 05/06/2021 2. Denied 05/06/2021 3. Denied 05/06/2021
153P21	In the Matter of: S.M., Jr.	1. State's Motion for Temporary Stay 2. State's Petition for Writ of Supersedeas	1. Allowed 05/07/2021 2.
156P21	State v. Corey Terrell Lee	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 05/12/2021

163A21	Murphy-Brown, LLC, et al. v. ACE American Insurance Company, et al.	<p>1. Def's (Old Republic Insurance Company) Motion to Admit Amy R. Paulus Pro Hac Vice</p> <p>2. Def's (Old Republic Insurance Company) Motion to Admit Don R. Sampen Pro Hac Vice</p>	<p>1. Allowed 05/19/2021</p> <p>2. Allowed 05/19/2021</p>
167A21	Inhold, LLC and Novalent, Ltd. v. Pureshield, Inc.; Joseph Raich; and Viaclean Technologies, LLC	<p>1. Plts' Motion to Dismiss Appeal</p> <p>2. Defs' Motion for Extension of Time to File Response</p>	<p>1.</p> <p>2. Allowed 05/24/2021</p>
174P21	State v. Phillip Brandon Daw	<p>1. State's Motion for Temporary Stay (COA20-680)</p> <p>2. State's Petition for Writ of Supersedeas</p>	<p>1. Allowed 05/25/2021</p> <p>2.</p>
188P21	Brian C. Johnson v. Karen D. McCallum, Presiding Judge Western District 26th Judicial Court	<p>1. Petitioner's Pro Se Petition for Writ of Mandamus</p> <p>2. Petitioner's Pro Se Petition for Writ of Prohibition</p> <p>3. Petitioner's Pro Se Motion to Proceed <i>In Forma Pauperis</i></p> <p>4. Petitioner's Pro Se Motion for Expedited Review</p>	<p>1. Dismissed 06/09/2021</p> <p>2. Dismissed 06/09/2021</p> <p>3. Allowed 06/09/2021</p> <p>4. Dismissed 06/09/2021</p>

190P21	State v. Michael K. Eutsey	Def's Pro Se Motion for Assistance to Be Heard	Dismissed 06/01/2021
196P21	State v. Sherry Lee Lance	1. Def's Motion for Temporary Stay (COA20-273) 2. Def's Petition for Writ of Supersedeas	1. Allowed 06/07/2021 2.
197P21	State v. Charisse L. Garrett	1. Def's Motion for Temporary Stay (COA20-326) 2. Def's Petition for Writ of Supersedeas	1. Allowed 06/07/2021 2.
198P21	In the Matter of: Ashley Morris	Claimant's Pro Se Motion for Appeal	Dismissed 06/07/2021
200P21	In the Matter of: J.M., N.M.	1. Petitioner and Guardian ad litem's Motion for Temporary Stay (COA20-677) 2. Petitioner and Guardian ad litem's Petition for Writ of Supersedeas 3. Petitioner and Guardian ad litem's PDR Under N.C.G.S. § 7A-31	1. Allowed 06/09/2021 2. 3.

204A20	James C. McGuine, Employee v. National Copier Logistics, LLC, Employer, and Travelers Insurance Company of Illinois, Carrier, and/or NCL Transportation, LLC, Employer, Non-Insured and the North Carolina Industrial Commission v. NCL Transportation, LLC, Non-Insured Employer, and Thomas E. Prince, Individually	Defs' Motion to Withdraw Appeal	Allowed 05/04/2021
247P20	Paul Allan Cobb, Jon Allan Cobb, Marc Allan Cobb, and Merie Cobb Mirosavich, Grandchildren of John Bruce Day v. Arley Andrew Day	Def's PDR Under N.C.G.S. § 7A-31 (COA19-805)	Denied Berger, J., recused
249PA14-2	State v. Jose Gustavo Galaviz-Torres	1. Def's Pro Se Motion to Discharge-Vacate Conviction-Sentence 2. Def's Pro Se Petition for Writ of Habeas Corpus	1. Dismissed 05/24/2021 2. Denied 05/24/2021
262P18-2	Alessandra L. McKenzie v. Steven M. McKenzie	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA19-1116) 2. Def's Conditional PDR Under N.C.G.S. § 7A-31	1. Denied 2. Dismissed as moot
294P20	Kidd Construction Group, LLC, Rocky Russell Builders, Inc., and Tommy Williams Builders, LLC v. Greenville Utilities Commission	Def's PDR Under N.C.G.S. § 7A-31 (COA19-910)	Denied

299P10-4	State v. Michael Wayne Mabe	Def's Pro Se Motion for Discretionary Review or Other Relief	Dismissed 05/27/2021
301P12-2	State v. Mark Bradley Carver	1. State's Motion for Temporary Stay (COA19-1055) 2. State's Petition for Writ of Supersedeas 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 05/11/2021 2. 3.
329P20	State v. Leon Dechas Dickens	Def's PDR Under N.C.G.S. § 7A-31 (COA19-722)	Denied
346P20	State v. Gregory Simmons	Def's Pro Se Motion for Due Process Violation	Dismissed
365P20-2	State v. Richard Lee Deyton	Def's Pro Se Motion for PDR	Denied 05/11/2021
377P20-3	State v. Andrew Ellis	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 06/01/2021
385P20	State v. Mitchell Andrew Tucker	1. State's Motion for Temporary Stay 2. State's Petition for Writ of Supersedeas 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 09/04/2020 2. Allowed 3. Allowed

394P20	State v. Joshua Lewis Johnson	<p>1. Def's Notice of Appeal Based Upon a Constitutional Question (COA19-625)</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> <p>Berger, J., recused</p>
395P20-2	State v. Michael Anthony Sheridan	Def's Pro Se Motion for Court Appointed Attorney	Denied 05/14/2021
397P20	State v. Billy Russell Land	<p>1. Def's Motion for Temporary Stay (COA19-1060)</p> <p>2. Def's Petition for Writ of Supersedeas</p> <p>3. Def's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 09/16/2020 Dissolved 06/09/2021</p> <p>2. Denied</p> <p>3. Denied</p>
404P20	State v. Tonya Renee Whitaker	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA18-1220)</p> <p>2. State's Motion to Deem Response to PDR as Timely Filed</p>	<p>1. Denied</p> <p>2. Allowed</p>

412P20	<p>Shearon Farms Townhome Owners Association II, Inc. v. Shearon Farms Development, LLC; Dan Ryan Builders-North Carolina, LLC; Abbington Heights, LLC; Jeld-Wen, Inc., and Jeld-Wen Holding, Inc., Defendants</p> <hr/> <p>Dan Ryan Builders-North Carolina, LLC, Defendant/Third-Party Plaintiff v. JP&M Enterprise, Inc.; JP&M Enterprise, Inc. d/b/a Ace Vinyl Siding; Alpha Omega Construction Group of Raleigh, Inc.; Alpha Omega Construction Group of Raleigh, Inc. d/b/a Alpha Omega Const. Group of Raleigh; BMC East, LLC; BMC East, LLC d/b/a BMC; BMC East, LLC f/k/a Stock Building Supply, LLC d/b/a Stock Building Supply; Brinley's Grading Service, Inc.; Brinley's Grading Service, Inc. d/b/a Brinley's Grading Service; GMA Supply Inc.; GMA Supply Inc. f/k/a GMA Supply LLC d/b/a GMA Supply, Locklear Roofing Inc.; Locklear Inc.; Locklear Roofing Inc. d/b/a Locklear Roofing; Locklear Inc. d/b/a Locklear Roofing; Taylor's Landscaping, Inc.; Taylor's Landscaping, Inc. d/b/a Taylor's Landscaping Inc., Third-Party Defendants</p>	Plt's PDR Under N.C.G.S. § 7A-31 (COA18-1308)	Denied
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423P20	State v. Omari Lewis Crump, Sr.	Def's PDR Under N.C.G.S. § 7A-31 (COA19-747)	Denied
425P20-2	Bilal K. Rasul v. Erik Hooks, North Carolina Department of Public Safety	Petitioner's Pro Se Motion for PDR (COAP20-491)	Denied
436A19	Window World of Baton Rouge, et al. v. Window World, Inc., et al.	1. Plts' Motion to Dismiss Improper Appeals from Interlocutory Discovery Orders Prior to Briefing on Privilege Appeal 2. Defs' Conditional Petition for Writ of Certiorari to Review Order of Business Court	1. Denied 2. Dismissed as moot
445P20	State v. Roberto Lainez	Def's Pro Se Motion for Relief and Release	Denied
456P20	Samuel Sealey v. Farmin' Brands, LLC	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA19-583) 2. Def's Conditional PDR Under N.C.G.S. § 7A-31	1. Denied 2. Dismissed as moot
495P20	U.S. Bank National Association v. Leland J. Thompson and Amber Thompson, Arkh Isra Ali-Dey, Third-Party Claimant	1. Third-Party Claimant's Pro Se Motion for Judicial Review for Void Judgment in Equitable Relief for Quiet Title Action 2. Third-Party Claimant's Pro Se Motion for Notice of Default 3. Third-Party Claimant's Pro Se Petition for Writ of Mandamus	1. Dismissed 2. Dismissed <i>ex mero motu</i> 3. Dismissed

525P20	State v. Michael Williams Yelverton	1. Def's PDR Under N.C.G.S. § 7A-31 (COA19-1123) 2. Def's Motion to Amend PDR to Add Additional Authority	1. Denied 2. Allowed
548A04-3	State v. Vincent Lamont Harris	1. Def's Motion to Dismiss Appeal 2. Def's Motion to Stay Briefing Schedule Until Resolution of the Motion to Dismiss	1. 2. Allowed 04/22/2021
580P05-21	In re: David Lee Smith	1. Def's Pro Se Motion to Vacate Stay 2. Def's Pro Se Motion for Release Pending Appeal	1. Denied 04/19/2021 2. Denied 04/19/2021 Ervin, J., recused

580P05-22	<p>In re:</p> <p>David Lee Smith</p>	<p>1. Def's Pro Se Petition for Writ of Mandamus</p> <p>2. Def's Pro Se Motion to Amend Pro Se Motion and Vacate Denial Order</p> <p>3. Def's Pro Se Petition for Writ of Mandamus</p> <p>4. Def's Pro Se Motion to Amend Pro Se Habeas Corpus Petition</p> <p>5. Def's Pro Se Motion to Liberally Construe Pro Se Petition as a Notice of Appeal and Appellate Brief</p> <p>6. Def's Pro Se Motion to Amend Pro Se Petition or for Court to Allow Fair Amendment Opportunity</p> <p>7. Def's Pro Se Motion to Vacate April 19, 2021 Denial Order</p>	<p>1. Denied</p> <p>2. Dismissed</p> <p>3. Denied</p> <p>4. Dismissed</p> <p>5. Dismissed</p> <p>6. Dismissed</p> <p>7. Dismissed</p> <p>Ervin, J., recused</p>
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