

SUPREME COURT OF NORTH CAROLINA

PETITIONS

8 July 1998

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COMMON ABBREVIATIONS

Abbreviation	Full Term
NOA	Notice of Appeal
Def	Defendant
Plt	Plaintiff
PDR	Petition for Discretionary Review
Cert	Certiorari
AG	Attorney General

9A94*	State v. Randy Lynn Atkins	Def's Motion to Expand the Record or, in the Alternative, Remand for an Evidentiary Hearing	Denied 5/26/98
22A96*	State of NC ex rel. v. Carolina Utility Customers	Intervenor-Defendant's Motion for Judicial Notice	Filed with opinion.
27A98	Floyd, Jr. and Sons, et al. v. Cape Fear Farm Credit, ACA	Def's Motion to Dismiss Notice of Appeal	Denied
37P98	State v. Howard	(1) AG's Petition for Writ of Supersedeas (2) AG's Motion for Temporary Stay (3) AG's PDR Under G.S. 7A-31	(1) Denied (2) Denied 2/5/98 (3) Denied

38P98	Fieldcrest Cannon v. Fireman's Fund Ins. Co., the North River Ins. Co. and NC Insurance Guaranty Association	Joint Petition by Fieldcrest Cannon and North River Ins. Co. for Discretionary Review Under G.S. 7A-31	Denied
48P98	Christopher Patrick Ryan, M.D. v. UNC Hospitals, Reeb, M.D., Newton, M.D., Skinner, Ph.D., Weir, M.D. and Curtis	Defendant University of North Carolina Hospitals' PDR Under G.S. 7A-31	Allowed
60A97	State v. Anderson	AG's Motion to Unseal Transcript of Ex Parte Hearing	Allowed 6/17/98
61A98	Smith, et al. v. Offerman, Secretary of Revenue, and the State of North Carolina	Plts' Combined Rule 60 Motion for Relief from Judgment and Motion for Remand	Denied 6/26/98
70PA98	Polaroid Corp. v. Offerman, Secretary of Revenue of State of NC	Multistate Tax Commission's Amended and Restated Motion for Admission of Counsel <i>Pro Hac Vice</i>	Allowed
75A98	Harrington v. Adams-Robinson, Employer Wausau Ins. Co.	Def-Appellants' Motion to Strike	Allowed
91P98	Dixon, Employee v. City of Durham, Employer	Def's PDR Under G.S. 7A-31	Denied
98P98	Nolton v. Stieneke	Plt's Pro Se Petition for Writ of Habeas Corpus	Denied
110P98	Brown v. Flowe, M.D.	(1) Plt's PDR Under G.S. 7A-31 (2) Def's PDR Under G.S. 7A-31	(1) Allowed (2) Denied
112P98	State v. Jacobs	Def's PDR Under G.S. 7A-31	Denied

121P98	Chiege Kalu Okwara v. Dillard Department Stores, Inc., Town of Pineville, and Walter B. Rorie	(1) Plt's NOA Based Upon a Constitutional Question (2) Plt's PDR Under G.S. 7A-31 (3) Def's Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
123P98	DTH Publishing Corp. d/b/a <i>The Daily Tar Heel</i> v. The University of NC at Chapel Hill and UNC-CH Undergraduate Court	(1) Plt's PDR Under G.S. 7A-31 (2) Def's Conditional PDR Under G.S. 7A-31	(1) Denied (2) Denied
125P98	Texidor v. Eatherly, M.D.	(1) Plt's PDR Under G.S. 7A-31 (2) Def's Conditional PDR Under G.S. 7A-31	(1) Denied (2) Dismissed as moot.
128P98	State v. Hoover	(1) AG's Motion to Add Document to Record on Appeal and (2) Motion to Strike First Issue Listed by Defendant for Review	(1) Allowed (2) Denied
130P98	State v. Wortham	Def's Pro Se Pet. for Writ of Cert. to Review the Order of the NC COA	Denied
132P98	Huffman v. Taylor, Barlow, Moore, Taylor and Smart	Plt's Petition for Writ of Certiorari to Review the Decision of the NC COA	Denied
134P98*	Wood v. Pierce; State of North Carolina	Plt's Pro Se Petition for Writ of Habeas Corpus	Denied 5/20/98
136P98	State v. Garner	Def's Pro Se Pet. for Writ of Cert. to Review Order of the Superior Court	Denied
138P98	State v. Kelly	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied

139A98	In the Matter of: Before the NC Pesticide Board H. Ray Meads v. NC Dep't of Agriculture	Pet's (Meads) PDR Under G.S. 7A-31	Allowed
140P98	State v. Ransom	Def's PDR Under G.S. 7A-31	Denied
142A97	State v. Bowman	(1) Def's Pro Se Motion to File Supplemental Brief (2) Def's Pro Se Motion to File Supplemental Brief	(1) Denied (2) Denied
142P98	Schmidt v. Olinger, M.D.	Plt's PDR Under G.S. 7A-31	Denied
143P98	Fantasy World, Inc. v. Greensboro Board of Adjustment, and City of Greensboro	(1) Pet's NOA Based Upon a Constitutional Question (2) Pet's PDR Under G.S. 7A-31	(1) Dismissed <i>ex mero motu.</i> (2) Denied
144P98	Phillips v. State Farm Mutual Auto Ins. Co. and Cathy Edwards	Plt's PDR Under G.S. 7A-31	Denied
147P98	People, for NC Republic, ex rel. v. State of NC, "its" political subdivisions and officers thereof, et al.	Redress of Grievance Petition De Droit and Command to Show Cause	Dismissed
148P98	State v. Gaddy	Def's Pro Se PDR Under G.S. 7A-31	Denied
149P98	State v. Hudson	Def's Pro Se Petition for Writ of Certiorari to Review the Order of the Superior Court	Denied
151P98	Adams v. AVX Corporation and Liberty Mutual Insurance Co.	Plt's PDR Under G.S. 7A-31	Allowed
152P98	Gerald and Janice Moore v. Mark McRorie, P.C.	(1) Plts' NOA Based Upon a Constitutional Question	(1) Dismissed

	Godfrey, Inc., and James Brown, Jr.	(2) Plts' PDR Under G.S. 7A-31	(2) Denied
154P98	State v. Julius Wayne White	(1) Def's NOA Based Upon a Dissent (2) Def's PDR As to Additional Issues	(1) (2) Allowed
155P98	Robertson, et al. v. City of High Point, et al	Plt's PDR Under G.S. 7A-31	Denied
157P98	Bagwell v. King	Def's PDR Under G.S. 7A-31	Denied
159P98	State v. Corpening	Def's PDR Under G.S. 7A-31	Denied
160P98	Jacobs, et al. v. Winston-Salem Zoning Board	Petitioners' PDR	Denied
161A98	State v. Swindler	(1) Def's NOA Based Upon a Dissent (2) Def's PDR as to Additional Issues	(1) (2) Denied
162P98	State v. Hayes	Def's PDR Under G.S. 7A-31	Denied
163P98	In the Matter of: The Last Will and Testament of James Roy Little, Deceased	Propounder's (Little) PDR Under G.S. 7A-31	Denied
165P98	Hitesman v. NC DOT	(1) Def's PDR Under G.S. 7A-31 (2) Plt's Motion to Dismiss Appeal	(1) Denied (2) Dismissed
166P98	Locklear v. Nixon	Def's PDR Under G.S. 7A-31	Denied
168P98	George Wagoner Ferguson, Jr. v. Alexander Killens,	(1) Petitioner's Motion for Temporary Stay	(1) Allowed

	Commissioner of the DMV of the State of NC, DOT	(2) Pet's Petition for Writ of Supersedeas (3) Pet's NOA Based Upon a Constitutional Question (4) Pet's PDR Under G.S. 7A-31 (5) Resp's Motion to Dismiss Notice of Appeal	4/24/98 (2) Denied (3) (4) Denied (5) Allowed
170P98	Robert Calvin Craig, Jr. v. State of NC	(1) Plt's Pet. for Writ of Habeas Corpus (2) Plt's Pet. for Writ of Cert. (3) Plt's Motion to Clarify Existence of Prejudice, Depriving Plt of Fair Adjudication of Facts Below	(1) Denied 6/1/98 (2) Denied 6/1/98 (3) Dismissed 6/1/98
171P98	State v. Robinson	Def's Pro Se Pet. for Writ of Cert. to Review the Decision of the NC COA	Denied
172P98	William and Alice Ball v. Randolph Co. Board of Adjustment	Resp's (Randolph Co. Bd. of Adjustment) PDR Under G.S. 7A-31	Allowed
173P98	State v. Haley, Jr.	Def's PDR Under G.S. 7A-31	Denied
177P98	State v. Stinnett, Jr.	(1) Def's NOA Based Upon a Constitutional Question	(1)

		(2) Def's PDR Under G.S. 7A-31	(2) Denied
		(3) AG's Motion to Dismiss Appeal	(3) Allowed
179P98	R.J. Reynolds Tobacco Co., et al. v. Liggett Group, Inc., and Brooke Group, Ltd., Inc.	Def's PDR Under G.S. 7A-31	Denied
182P98	State v. Cockerham	Def's PDR Under G.S. 7A-31	Denied
183P98	State v. Danny Ray Jacobs	(1) Def's NOA Based Upon a Constitutional Question (2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
187P98	Beth M. Sharp v. Thaddeus Pender Sharp, et al.	Defs' Motion for Temporary Stay	Allowed 5/18/98
189P98	Leak v. Leak	Def's PDR Under G.S. 7A-31	Denied
190P98	Trapp v. Maccioli, M.D.	Def's PDR Under G.S. 7A-31	Denied
193P98	Piazza v. Little and Perry	Unnamed Def's (Automobile Ins. Co. of Hartford) PDR Under G.S. 7A-31	Allowed
194P98	City of Durham v. Paul W. Woo, Trustee, et al.	Plt's Pet. for Writ of Cert. to Review the Decision of the NC COA	Denied
195P98	In the Matter of Marcus Richmond, a Juvenile	Juvenile's PDR Under G.S. 7A-31	Denied
197P98	State v. Ingram	Def's Pet. for Writ of Cert. to Review the Order of the NC COA	Denied w/out prejudice to file in the COA.

198P98	In re: Robinson One Minor Child	Resp's (Jeffrey Todd Robinson) PDR Under G.S. 7A-31	Denied
200P98	Lionel Lamont Cox v. State of North Carolina	Plt's Petition for Writ of Mandamus	Dismissed
201P98	State v. Walker	Def's Pro Se Petition for Writ of Habeas Corpus	Dismissed w/out prejudice to def's right to file an appropriate motion in Superior Court. 5/29/98
202P98	State v. Hill	(1) Def's NOA (Const. Question) (2) Def's PDR (3) AG's Motion to Dismiss	(1) (2) Denied (3) Allowed
205P98	South Blvd. Video & News, Inc. v. Charlotte Zoning Board of Adjustment, and City of Charlotte	(1) Pet's NOA Based Upon a Constitutional Question (2) Pet's PDR Under G.S. 7A-31 (3) Resps' Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
207P98	State v. Mosley	Def's Pro Se Pet. for Writ of Cert. to Review the Order of the NC COA	Denied
208P98	Carrington v. Wakeman	(1) Def's PDR (2) Plt's Conditional PDR as to Additional Issues	(1) Denied (2) Dismissed as moot.

209P98	State v. Patterson	Def's Pro Se Petition for Writ of Certiorari to Review the Order of the Superior Court	Denied
210P98	State v. Brewer	Def's Pro Se Pet. for Writ of Cert. to Review the Order of the NC COA	Denied
211P98	State v. Whitfield	Def's Pro Se PDR Under G.S. 7A-31	Dismissed
217P98	Ray T. Russ v. State of North Carolina	Plt's Pro Se Petition for Writ of Habeas Corpus	Denied 6/9/98
220P98	State v. Jackie Lane Babson	(1) AG's Motion for Temporary Stay	(1) Denied 6/8/98
		(2) AG's Petition for Writ of Supersedeas	(2) Denied 6/8/98
		(3) AG's PDR Under G.S. 7A-31	(3) Denied
221P98	Snead v. Carolina Pre-Cast Concrete, Inc., and Maryland Ins. Group	Plt's Pet. for Writ of Certiorari to Review the Decision of the NC COA	Denied
229P98	State v. Holston	Def's Pro Se Petition for Writ of Certiorari	Denied
232P98*	In re: Appeal of Turner G. Blount	Plt's (Turner) Motion for Temporary Stay	(1) Denied 6/16/98
239P98*	Gloria Jean Penland and Timothy William Taylor v. Tracy Childress Primeau	Def's Motion for Temporary Stay	(1) Denied 6/22/98
241P98	State v. Booker	Def's PDR Under G.S. 7A-31	Denied

249P98	State v. Cannon	Def's Pro Se Petition for Writ of Habeas Corpus	Denied 7/2/98
340A95	State v. Morganherring	Def's Motion to Allow Supplemental Briefing	Allowed
373P97	Muse v. Britt, Sr.	Plt's Motion for Reconsideration	Dismissed
42A93-2	State v. Walls	Def's Motion for Extension of Time to File Petition for Writ of Certiorari	Allowed 5/20/98
449A97	Regan v. Amerimark	Plt's Petition for Rehearing	Denied 5/18/98
536PA97*	Briggs, et al. v. Rankin	(1) Motion by Amicus (NC Manufactured Housing Institute) for Leave to Participate in Oral Argument in Support of Def-Appellees (2) Plt-Appellants' Motion to Reconsider and Vacate Order Allowing Amicus (NCMHI) to Participate in Oral Argument	(1) Allowed 5/20/98 (2) Denied 5/22/98
553A94*	State v. Flowers	Doris Flowers; as Next Friend for Wendell Flowers, Motion to Withdraw Her Request for the Competency Hearing Previously Ordered Pursuant to N.C.G.S. § 15A-1001(a)	Denied 5/8/98
553A94	State v. Wendell Flowers	(1) AG's Motion to Vacate Stay of Execution and Remand to Rowan Co. for Setting of Execution Date or Direct Rescheduling of Execution Date Pursuant to N.C.G.S. § 15-194 (1996)	(1) Stay dissolved; Motion dismissed as moot.

		(2) Def's Pro Se Motion to Fire Attorneys	(2) Dismissed as moot.
553A94	State v. Wendell Flowers	(1) Def's Pro Se Motion to Dismiss Counsel (2) Def's Pro Se Motion to Drop Appeal (3) Def's Pro Se Motion to Set Execution Date	(1) Allowed (2) Allowed (3) Allowed. See separate order.
613PA97*	Frye Regional Medical Center, Inc. v. James B. Hunt, Jr., et al and Catawba Memorial Hospital	(1) Intervenor's Motion to Strike (2) Intervenor's Motion for Extension of Time to File Brief on 7/29/98	(1) (2) Allowed 6/24/98
617A97*	In re: Inquiry Concerning a Judge, No. 207 Elton G. Tucker	Resp's (Tucker) Motion to Take Judicial Notice and Motion to Supplement Record	Filed with opinion.
69A94-2	State v. King	Def's Pet. for Writ of Cert. to Review Superior Court Order	See separate order. 6/8/98
120A92-2	State v. Kenneth Bernard Rouse	(1) Def's Pet. for Writ of Cert. to Review Superior Court Order (2) Def's Motion to Amend Petition for Writ of Certiorari (3) Def's Amended Petition for Writ of Certiorari	(1) See separate order. (2) See separate order. (3) See separate order.

		(4) Def's Motion to Hold Petition for Writ of Certiorari in Abeyance (5) AG's Motion to Strike	(4) Allowed 9/4/97 (5) Denied
160A92-2	State v. Carter	Def's Pet. for Writ of Cert. to Review Order of the Superior Court	Denied
215A96-2*	State v. LeGrande	Def's Pro Se Motion for Stay of Execution	Dismissed as moot. 5/13/98
221A93-2	State v. DeCastro	Def's Pet. for Writ of Cert. to Review Superior Court Order	See separate order.
232A93-2	State v. Gregory	Def's Petition for Writ of Cert. to Review Superior Court Order	See separate order.
257A82-2	State v. Craig	Def's Pet. for Writ of Cert. to Review Superior Court Order	See separate order.
257A82-2	State v. Anthony	Def's Pet. for Writ of Cert. to Review Superior Court Order	See separate order.
264A90-4	State v. Marvin Earl Williams, Jr.	Def's Pet. for Writ of Cert. to Review Superior Court Order	Denied
300A93-2*	State v. Norfolk Best	AG's Motion for Enlargement of Time to File Response to Petition for Writ of Certiorari	Allowed 5/26/98
384A92-2	State v. McCarver	Def's Petition for Writ of Certiorari (Death Case)	Denied
395A91-4	State v. William Quentin Jones	(1) Def's Pet. for Writ of Supersedeas (2) Def's Pet. for Writ of Cert. to Review Superior Court Order	(1) See separate order. (2) See separate order. (3) Allowed

		<p>(3) Def's Motion to Amend Petition for Writ of Certiorari</p> <p>(4) Def's Motion to Hold Petition for Writ of Certiorari/Supersedeas in Abeyance</p> <p>(5) Def's Motion to Expand Record</p> <p>(6) Def's Motion to Strike State's Evidence Submitted for the first time in this Court</p>	<p>(4) Allowed 9/4/97</p> <p>(5) Dismissed</p> <p>(6) Dismissed</p>
412A93-4	State v. Johnny Ray Daughtry	<p>(1) Def's Pet. for Writ of Cert. from Order of Superior Court</p> <p>(2) Def's Pet. for Writ of Supersedeas</p>	<p>(1) Denied</p> <p>(2) Denied</p>
497A93-2	State v. Levon Junior Jones	<p>(1) Def's Motion for Stay of Execution</p> <p>(2) Def's Pet. for Writ of Cert. to Review Superior Court Order</p> <p>(3) Def's Motion to Supplement the Petition for Writ of Certiorari</p> <p>(4) Def's Supplement to the Petition for Writ of Certiorari</p>	<p>(1) Allowed 9/30/97</p> <p>(2) See separate order.</p> <p>(2) See separate order.</p> <p>(3) See separate order.</p>
556A90-3*	State v. Blanche Taylor Moore	AG's Motion for Extension of Time to File State's Response in	Allowed

		Opposition to Petition for Writ of Certiorari to Review Superior Court Order	5/26/98
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