

SUPREME COURT OF NORTH CAROLINA

PETITIONS

Decided by the Court in Conference: 12 August 2004

{Posted on the Internet Web Site: 13 August 2004 at 11:30 a.m.}

COMMON ABBREVIATIONS

Abbreviation	Full Term
PWC	Petition for Writ of Certiorari
MAR	Motion for Appropriate Relief
COA	North Carolina Court of Appeals
MTS	Motion for Temporary Stay
Def	Defendant
NOA	Notice of Appeal
Plt	Plaintiff
PDR	Petition for Discretionary Review
Cert	Certiorari
AG	Attorney General

005A01	State v. Francisco Edgar Tirado	Def's Motion to Hold Decision Pending the U.S. Supreme Court's Decision in <i>Roper v. Simmons</i>	Dismissed as moot
009P01-6	State v. Irving D. Chappell	Def's Motion for Reconsideration of Denial of Petition for Writ of Mandamus	Denied Martin, J., recused
050P04	Darrick LaMonte King v. North Carolina Parole Commission	Plt's <i>Pro Se</i> Petition for Writ of Habeas Corpus	Denied 07/26/04

060A97-3	State v. Melanie Sammons Anderson	1. District Attorney's PWC to Review the Order of the Superior Court 2. Def's Motion to Dismiss PWC	1. Denied 2. Dismissed as moot
064P04	State v. Jeffrey Leonard Shuford	1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-92) 2. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Denied 2. Denied 3. Denied
088P04	State v. Chad Evrist Herndon	Def's PWC to Review the Order of the Superior Court	Denied
099P04-2	Carl Edward Lyons v. North Carolina Court of Appeals	Plt's Petition for Writ of Mandamus	Denied
105P04	Suzanne Beatenhead v. Lincoln County, Lincoln County Board of Education, Martin Eaddy, Individually and as a Member of the Lincoln County Board of Education	Def's (Martin Eaddy) PDR Under N.C.G.S. § 7A-31 (COA02-1610-2)	Allowed
114P04	Northcross Land and Development Limited Partnership v. Lake Norman Castaldi's, Inc.	Def's PDR Under N.C.G.S. § 7A-31 (COA03-395)	Denied
118P01-10	State v. Cornelius Tucker, Jr.	1. Defendant's Petition for Habeas Corpus 2. Defendant's Motion for Remedy Without Delay for Restraint of Liberty Interests/and Mandamus	1. Denied 07/22/04 2. Denied 07/22/04 3. Allowed 07/22/04

		3. Defendant's Motion to Proceed <i>In Forma Pauperis</i>	
119P04	State v. Robert Andrew Bartlett, Sr.	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-1094)	Denied
129P04-2	State v. Carl Edward Lyons	1. Def's MAR Pursuant to N.C.G.S. § 15A-1411 2. Def's PDR Under N.C.G.S. § 7A-31	1. Dismissed 2. Dismissed
132P04	State v. Watson Carlos Drew	1. Def's NOA Based Upon a Constitutional Question (COA02-1481) 2. Def's PDR Under N.C.G.S. § 7A-31 3. AG's Motion to Dismiss Appeal	1. --- 2. Denied 3. Allowed
134P04	State of North Carolina, ex rel. Utilities Commission; and Duke Energy Corporation, Respondents v. Carolina Utility Customers Association, Inc., Petitioner	1. Petitioner's PDR Under N.C.G.S. § 7A-31 (COA03-457) 2. Respondent's (State of North Carolina, ex rel. North Carolina Utilities Commission) Conditional Petition for Discretionary Review Under N.C.G.S. § 7A-31	1. Denied 2. Dismissed as moot
135P04	State of North Carolina, ex rel. Utilities Commission; Public Staff-North Carolina Utilities Commission; and Wells Eddleman, <i>Pro Se</i>, Petitioners v. Carolina Utility Customers Association, Inc.,	1. Respondent-Intervenors' NOA Based Upon a Constitutional Question (COA03-440)	1. --- 2. Denied 3. Dismissed as moot

	(Intervenor), Respondent v. Duke Energy Corporation	<p>2. Respondent-Intervenors' PDR Under N.C.G.S. § 7A-31</p> <p>3. Petitioners' (State of N.C. ex rel. the N.C. Utilities Commission and the Public Staff of the N.C. Utilities Commission) Conditional PDR Under N.C.G.S. § 7A-31</p> <p>4. Petitioners' (State of N.C. ex rel. the N.C. Utilities Commission and the Public Staff of the N.C. Utilities Commission) Motion to Dismiss Notice of Appeal</p> <p>5. Cross-Appellee's (Duke Energy Corporation) Motion to Dismiss Appeal</p> <p>6. Cross-Appellee's (Duke Energy Corporation) Conditional Petition for Discretionary Review Under N.C.G.S. § 7A-31</p>	<p>4. Allowed</p> <p>5. Allowed</p> <p>6. Dismissed as moot</p>
136P04	Anne Litton White (Davis) v. John Blevins Davis	Plt's PDR Under N.C.G.S. § 7A-31 (COA03-359)	Denied
143A95-6	Charles Phillips Bond v. State of North Carolina	Petitioner's <i>Pro Se</i> Request for Judicial Notice of Adjudicative Facts	Dismissed
155P04	State v. Martin Alva Crawford	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA03-485)	Denied
159A04	State v. Tammy Kay Sinnott and David Michael Sinnott	1. Defs' <i>Pro Se</i> NOA Based Upon a Constitutional Question (COA03-187)	<p>1. ---</p> <p>2. Allowed</p>

		2. AG's Motion to Dismiss Appeal	
161P04	Jimmy Dale McPhail and Cheryl D. McPhail v. Billy Nelson McPhail	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COA03-1617)	Denied
163P04	State v. Derrick Thomas Bailey	1. Def's NOA Based Upon a Substantial Constitutional Question 2. Def's PDR Under N.C.G.S. § 7A-31 (COA03-431)	1. Dismissed <i>ex mero motu</i> 2. Denied
164P04	Peggy Jones, Administratrix of the Estate of Cecil Jones v. North Carolina Insurance Guaranty Association, et al.	1. Def's (Traveler's Indemnity Company) Motion for Review of the Court of Appeals' Judgment in this Case, Pursuant to Article IV, Section 12(1) of the North Carolina Constitution 2. Def's (N.C. Insurance Guaranty Ass'n) Motion for Award of Costs and Reasonable Attorneys' Fees as a Sanction	1. Dismissed 2. Denied
169P04	Mark W. Cartret v. The Honorable Thomas V. Aldridge, Jr.	Plt's PWC to Review the Order of the COA (COAP04-203)	Dismissed
170P04	Jonesboro United Methodist Church v. Mullins-Sherman Architects, LLP and J.H. Batten, Inc.	Def's PDR Under N.C.G.S. § 7A-31 (COA03-273)	Allowed
173P04	State v. Roy Eugene Bryant	1. AG's Motion for Temporary Stay	1. Allowed Pending Determination of the State's

		<p>2. AG's Petition for Writ of Supersedeas</p> <p>3. AG's NOA Based Upon a Constitutional Question (COA02-1706)</p> <p>4. AG's PDR Under N.C.G.S. § 7A-31</p> <p>5. Motion to Dismiss Petition for Discretionary Review Under N.C.G.S. § 7A-31</p>	<p>PDR 04/19/04</p> <p>2. Allowed</p> <p>3. Dismissed <i>ex mero motu</i></p> <p>4. Allowed</p> <p>5. Denied</p>
176P04	State v. Kenneth Preston Bradbury	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-1043)	Dismissed
181A93-2	State v. Rayford Lewis Burke	Def's PWC to Review the Order of the Superior Court (92CRS1195)	Denied
182P04	In the Matter of Appeal of: Schwarz & Schwarz, Inc. From the Valuation by Caldwell County of Certain Real Property Regarding Property Taxation From Tax Year 2001	Appellant's (Schwarz & Schwarz, Inc.) PDR Under N.C.G.S. § 7A-31 (COA03-641)	Denied
183A04	State v. Robert Thomas Little	<p>1. Def's NOA Based Upon a Dissent (COA03-38)</p> <p>2. Def's PDR as to Additional Issues</p> <p>3. AG's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Denied</p>
185P04	James Leslie Javurek v. Sharon Dunigan Jumper	Plt's <i>Pro Se</i> PDR Prior to Determination by the COA (COA04- 466)	Denied
186P04	Anthony Dove v. Wil- O-Wisp Apartments, et al.	Plt's Petition for Rehearing	Dismissed

188P04	State v. Gregory Alan Kirby	1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP04-96) 2. Def's <i>Pro Se</i> Motion for Appointment of Counsel	1. Dismissed 2. Denied Wainwright, J., recused
204P04	State v. Irving Larry Haylock	Def's PDR Under N.C.G.S. § 7A-31 (COA03-799)	Denied
208P04-2	State v. James McDonald and State v. Linwood Earl Forte	1. Def's (McDonald) Motion for Appropriate Relief 2. Motion by Andrew G. Schopler to Withdraw as Counsel	1. Dismissed 2. Allowed
212A04	State v. Lorenzo Lee Pope and Demetri Monte Bell	Def's (Pope) NOA Based Upon a Constitutional Question (COA03-557)	Dismissed <i>ex mero motu</i>
214A04	State v. Charles David Becton	1. Def's NOA Based Upon a Constitutional Question (COA03-682) 2. AG's Motion to Dismiss Appeal	1. --- 2. Allowed
215P04	PharmaResearch Corporation v. James M. Nash	1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-213-2) 2. Plt's Conditional PDR	1. Denied 2. Dismissed as moot
217P04	State v. Mark Anthony Jones	Def's PDR Under N.C.G.S. § 7A-31 (COA03-623)	Denied
219P04	Laura Tarrant v. Freeway Foods of Greensboro, Inc., d/b/a Waffle House, Freeway Foods, Inc., d/b/a Waffle House, Jesse Yun, Doug Kingston, Sr., and John Doe	1. Def's (Freeway Foods of Greensboro, Inc., d/b/a Waffle House) PDR Under N.C.G.S. § 7A-31 (COA03-210) 2. Motion by Capital Associated Industries, Inc.,	1. Denied 2. Dismissed as moot 3. Dismissed as moot

		<p>Piedmont Associated Industries, Inc., The Employer's Association, Inc., and Western Carolina Industries, Inc. for Leave to File <i>Amicus Curiae</i> Brief</p> <p>3. Supplemental Motion by Capital Associated Industries, Inc., Piedmont Associated Industries, Inc., The Employer's Association, Inc., and Western Carolina Industries, Inc. for Leave to File <i>Amicus Curiae</i> Brief</p> <p>4. Motion by N.C. Academy of Trial Lawyers for Leave to File <i>Amicus Curiae</i> Brief</p>	4. Dismissed as moot
224P04	State v. Richard McKinley Taylor	Def's PDR Under N.C.G.S. § 7A-31 (COA03-737)	Denied
226P04	Maxine Elliott v. Estate of Garnet D. Elliott, Jr.	Def's PWC to Review the Decision of the COA (COA03-775)	Denied
227P04	Tommy Davis Nathan Cameron and wife, Lisa Cameron v. Merisel, Inc., Merisel Properties, Inc., Merisel Americas, Inc., and Brian Goldsworthy	<p>1. Defs' PDR Under N.C.G.S. § 7A-31 (COA02-1330)</p> <p>2. Plts' Conditional PDR</p> <p>3. Plts' PWC to Review the COA Decision</p>	<p>1. Allowed</p> <p>2. Allowed</p> <p>3. Denied</p>
231P04	State v. Angelito Reyes Maniego	<p>1. Def's NOA Based Upon a Constitutional Question (COA03-340)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p>

		3. AG's Motion to Dismiss Appeal 4. Def-Appellant's Motion for Appropriate Relief	4. Denied
233P04	State v. Antonio Gaines	Def's PDR Under N.C.G.S. § 7A-31 (COA03-330)	Denied
234P04	State v. Randy Jones	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COA04-155)	Dismissed
237P04	State v. James Edward Bell, Jr.	Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA02-1260)	Denied
239P04	State v. Ronny McNair	Def's PWC to Review the Decision of the COA (COA01-706)	Denied
240P04	In the Matter of: J.D., Minor Child	1. Petitioner's (Buncombe Co. DSS) PDR Under N.C.G.S. § 7A-31 (COA03-71-2) 2. Motion by Guardian Ad Litem to Strike Appellee's Response to the Petition for Discretionary Review as Certification by Supreme Court	1. Denied 2. Denied
243P04	State v. Billy Joe Penland	1. Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA03-665) 2. AG's Motion to Dismiss Appeal	1. Denied 2. Dismissed as moot
245P04	State v. Benjamin Graham Nye	1. Def's NOA Based Upon a Constitutional Question	1. --- 2. Denied 3. Allowed

		<p>2. Def's PDR Under N.C.G.S. § 7A-31 (COA03-35)</p> <p>3. AG's Motion to Dismiss Appeal</p> <p>4. AG's Motion to Deem Response Timely Filed</p>	4. Allowed
246P04	State v. Bernice Allen Williamson	Def's PDR Under N.C.G.S. § 7A-31 (COA03-554)	Denied
249P04-2	State v. Larry Spencer Hill	<p>1. Def's <i>Pro Se</i> Petition for Writ of Habeas Corpus Ad Testificandum</p> <p>2. Def's <i>Pro Se</i> Petition for Writ of Habeas Corpus (State Actions)</p> <p>3. Def's <i>Pro Se</i> Motion for Appointment of Counsel</p>	<p>1. Denied 07/12/04</p> <p>2. Denied 07/12/04</p> <p>3. Denied 07/12/04</p>
250A04	James Edward Imes v. City of Asheville, CCL Management, Inc. and Asheville City Coach Lines, Inc.	<p>1. Deborah A. Widiss' Motion to Appear as Counsel <i>Pro Hac Vice</i></p> <p>2. Motion by Legal Momentum, et al. for Leave to File <i>Amicus Curiae</i> Brief</p>	<p>1. Allowed 07/01/04</p> <p>2. Allowed 07/01/04</p> <p>Orr, J., recused</p>
252P04	State v. Gene Anderson White	Def's PDR Under N.C.G.S. § 7A-31 (COA03-742)	Denied
253P04	Page C. Keel, Jr. v. Private Business, Inc.	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-703)</p> <p>2. Joint Motion of Plt. and Def. to Dismiss PDR</p>	<p>1. Dismissed as moot</p> <p>2. Allowed</p>

255P04	Ginger Huber v. North Carolina State University, et al.	AG's PDR Under N.C.G.S. § 7A-31 (COA03-145)	Denied
257A04	Daniel A. Young, Sr. v. McClatchy Newspapers, et al.	1. Plt's <i>Pro Se</i> NOA Based Upon a Constitutional Question (COA03-842) 2. Plt's <i>Pro Se</i> Motion to Appeal as Pauper	1. Dismissed <i>ex mero motu</i> 2. Allowed
264P04	State v. Brandon Omar Graham	1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-822) 2. Motion by Andrew G. Schopler to Withdraw as Def's Appointed Counsel	1. Denied 2. Allowed
265P04	State v. Nathan Smith and Ashley Smith	Def's (Ashley Smith) PDR Under N.C.G.S. § 7A-31 (COA03-428)	Denied
266P04	Anitra L. Farrior, Vantoice F. Farrior, Yvette A. Farrior, Anaiah Hill, a minor appearing through her guardian ad litem, Ralph Wiley, and Anitra L. Farrior, Administratrix of the Estate of Kiaria Inesha Hill v. State Farm Mutual Automobile Insurance Company	Plts' PDR Under N.C.G.S. § 7A-31 (COA03-730)	Denied
273P04	Clark Stone Co., Inc., Petitioner v. N.C. Department of Environment & Natural Resources, et al., Respondents, Appalachian Trail Conference National Parks Conserv. Ass'n, et al., Respondent/Intervenors	1. Petitioner's NOA Based Upon a Constitutional Question (COA03-526) 2. Petitioner's PDR Under N.C.G.S. § 7A-31 3. Respondent/Intervenors' Motion to Dismiss Appeal (Appalachian Trail Conf., et al.)	1. --- 2. Denied 3. Allowed 4. Allowed

		4. Respondents' (State) Motion to Dismiss Appeal	
275P04-2	State v. John Ervin Blyther	Def's Petition for Writ of Habeas Corpus Ad Testificandum	Denied 08/05/04
275P04-3	State v. John Ervin Blyther	Def's Motion for Appropriate Relief	Dismissed <i>ex mero motu</i> 08/05/04
276P04	State v. Dwayne Russell Edwards	1. Def's NOA Based Upon a Constitutional Question (COA03-736) 2. Def's PDR Under N.C.G.S. § 7A-31 3. AG's Motion to Dismiss Appeal	1. --- 2. Denied 3. Allowed
281P04	State v. Jeffrey Ray Harrison	Def's PDR Under N.C.G.S. § 7A-31 (COA03-84)	Denied
284P04	State v. Jonathan Bruno Mallwitz	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP04-336) (Converted by Clerk; Defendant Labeled His Filings as "Notice of Appeals" and "Petition for Discretionary Review.")	Dismissed
287P04	State v. Willie Lee Floyd, Jr.	1. Def's <i>Pro Se</i> PWC to Review the Order of the Superior Court (01CRS53018, et al.) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i> 3. Def's <i>Pro Se</i> Motion for Appointment of Counsel	1. Dismissed 2. Allowed 3. Denied
289P04	State v. Edward Earl Herring	1. Def's <i>Pro Se</i> Motion for Stay of Sentence With Bail	1. Denied 07/07/04

		<p>2. Def's <i>Pro Se</i> Petition for Writ of Supersedeas</p> <p>3. Def's <i>Pro Se</i> Motion for Appointment of Counsel</p> <p>4. Def's <i>Pro Se</i> Motion for Immediate Release</p> <p>5. Def's <i>Pro Se</i> Petition for Writ of Habeas Corpus (State Actions)</p> <p>6. Def's <i>Pro Se</i> Motion for Appointment of Counsel</p>	<p>2. Denied 07/07/04</p> <p>3. Denied 07/07/04</p> <p>4. Denied 07/07/04</p> <p>5. Denied 07/07/04</p> <p>6. Denied 07/07/04</p>
292P04	State v. Ramulus A. Mason	Def's <i>Pro Se</i> PWC to Review the Orders of the COA (COAP04-412)	Dismissed
293P04	In the Matter of: K.B.	Respondent's (Mother's) PWC to Review the Orders of the COA (COAP04-301 and COA04-670)	Denied
295P04	State v. James Carey Wood	<p>1. Def's NOA Based Upon a Constitutional Question (COA03-551)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. AG's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Allowed</p>
303P04	Marie T. Formyduval, as Administratrix of the Estates of Hartwell B. Formyduval and Joey Formyduval v. William S. Britt, individually and d/b/a Britt & Britt, and Britt & Britt, PLLC	<p>1. Plt's PDR Under N.C.G.S. § 7A-31 (COA04-326)</p> <p>2. Plt's PWC to Review the Order of the COA</p>	<p>1. Denied</p> <p>2. Denied</p>

305P04	State v. Joseph Calvin Heath	<p>1. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA03-1229)</p> <p>2. Def's Motion for Appropriate Relief</p> <p>3. AG's Motion for Extension of Time to File Response to Motion for Appropriate Relief</p>	<p>1. Denied</p> <p>2. Denied</p> <p>3. Allowed 07/09/04</p>
307P04	State v. James Gregory Freeman	<p>1. Def's NOA Based Upon a Constitutional Question (COA03-1162)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. Def's Alternative Motion to Defer Decision on PDR Pending Ruling of U.S. Supreme Court in <i>Blakely v. Washington</i></p> <p>4. AG's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Denied</p> <p>3. Dismissed as moot</p> <p>4. Allowed</p>
308A04	State v. San Junior Blakeley	<p>1. Def's NOA Based Upon a Constitutional Question (COA03-106)</p> <p>2. AG's Motion to Dismiss Appeal</p>	<p>1. ---</p> <p>2. Allowed</p>
311P00-2	Michael Barry Valentine v. State of North Carolina	Petitioner's <i>Pro Se</i> "Notice of Appeal for Discretionary Review" (COAP04- 234)	Dismissed
314P04	Pauline Kelly v. Advanced Homecare, Inc. and Zenith Insurance Company	Plt's PWC to Review the Decision of the COA (COA03-887)	Denied
316P04	State v. Herbert M. Hunter	1. Def's <i>Pro Se</i> Motion for Stay of Sentence, With Bail	1. Dismissed 06/30/04

		<p>2. Def's <i>Pro Se</i> Petition for Writ of Supersedeas</p> <p>3. Def's <i>Pro Se</i> Motion for Appointment of Counsel</p> <p>4. Def's <i>Pro Se</i> Motion for Immediate Release</p>	<p>2. Dismissed 06/30/04</p> <p>3. Dismissed 06/30/04</p> <p>4. Dismissed 06/30/04</p>
317P04	In the Matter of: The Honorable Judge James M. Honeycutt	Petitioners' Petition for Writ of Mandamus	See Special Order 06/28/04
318P04	State v. Mack Oden	Def's <i>Pro Se</i> NOA in the Matter of Motion for Post-Conviction Discovery Under <i>Brady</i> and Writ of Mandamus	Denied 07/02/04
320P04	Mr. George Kenworthy, State of North Carolina v. Charles William Johnson	<p>1. Petitioner's <i>Pro Se</i> Petition for Writ of Habeas Corpus (State Actions)</p> <p>2. Def's <i>Pro Se</i> Motion for Appropriate Relief</p>	<p>1. Denied 07/01/04</p> <p>2. Dismissed</p>
322P04	State v. James Ernest Chambers	<p>1. Petitioner's <i>Pro Se</i> Petition for Writ of Habeas Corpus (State Actions)</p> <p>2. Petitioner's <i>Pro Se</i> Petition for Writ of Habeas Corpus Ad Testificandum</p> <p>3. Petitioner's <i>Pro Se</i> Motion for Appointment of Counsel</p> <p>4. Petitioner's <i>Pro Se</i> Motion for Immediate Release</p>	<p>1. Denied 07/02/04</p> <p>2. Denied 07/02/04</p> <p>3. Denied 07/02/04</p> <p>4. Denied 07/02/04</p> <p>5. Dismissed <i>ex mero motu</i></p>

		5. Defendant's Motion for Appropriate Relief Direct Appeal	
324A94-3	State v. Wade Larry Cole	1. Def's PWC to Review the Order of the Superior Court 2. Def's Motion to Defer Consideration of PWC (pending decision in State v. Poindexter) 3. Def's Motion to Supplement PWC	1. Denied 2. Denied 3. Allowed
324P04	State v. Eugene Davis	Def's PDR Under N.C.G.S. § 7A-31 (COA03-1037)	Denied
325P04	State v. Steven Edgar Spencer	1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-729)(Thorsen) 2. Def's PDR Under N.C.G.S. § 7A-31 (COA03-729)(Cunningham) 3.. Motion by Bruce T. Cunningham to Withdraw as Counsel of Record	1. Denied 2. Denied 3. Allowed
326P04	State v. Nathan Shaw	1. Def's PDR Under N.C.G.S. § 7A-31 (COA03-917) 2. Motion by Andrew G. Schopler to Withdraw as Counsel	1. Denied 2. Allowed
329P04	County of Cabarrus, et al. v. Norris L. Tolson, Sec'y of Revenue of the State of North Carolina	1. Plt's PDR Prior to Determination by the COA	1. Denied 2. Allowed

		2. Plt's Motion to Deem PDR Timely Filed	
333P04	State v. Michael Cornelius Williams	1. AG's Motion for Temporary Stay 2. AG's Petition for Writ of Supersedeas 3. AG's PDR Under N.C.G.S. § 7A-31 (COA03-503)	1. Denied 07/08/04 2. Denied 07/08/04 3. Denied 07/08/04
338P00-2	Christopher Langdon v. N.C. Department of Transportation	1. Plt's <i>Pro Se</i> Petition for Writ of Mandamus and a Writ of Prohibition Reversing the Order of (Superior Court) Judge Baker Imposing Sanctions (03CVS173) 2. Plt's <i>Pro Se</i> Petition for Writ of Mandamus and a Writ of Prohibition Reversing the Order of (Superior Court) Judge Baker Dismissing Plt's Appeal 3. Plt's <i>Pro Se</i> Motion for Stay of Proceedings Through Ruling by N.C. Supreme Court on Petition and Appeal to U.S. Supreme Court 4. Plt's <i>Pro Se</i> Motion for Stay of Proceedings Until Appeals to U.S. Supreme Court in <i>Langdon v. Mallonee</i> Have Been Exhausted	1. Denied 07/01/04 2. Denied 07/01/04 3. Denied 07/01/04 4. Denied 07/01/04 5. Denied 07/01/04

		5. Plt's <i>Pro Se</i> Motion to be Allowed to Appeal Directly to the N.C. Court of Appeals and the N.C. Supreme Court via Informal Briefs and a Certified Copy of the Record	
338P04	State v. Nakita Deverick Nivens	Def's PDR Under N.C.G.S. § 7A-31 (COA02-1601)	Denied
339P04	State v. Brian Frank Gonzales	Def's PWC to Review the Decision of the COA (COA03-606)	Allowed
342P04	Keith Kegley and Kimber Kegley, Cecil Hammonds and Maggie Hammonds, and Chadwick McKeown v. City of Fayetteville, a North Carolina Municipality	1. Petitioners' Urgent Motion for Temporary Stay 2. Petitioners' Petition for Writ of Supersedeas 3. Petitioners' PWC to Review the Order of the COA or Alternatively for Discretionary Review 4. Respondent's (City of Fayetteville) Urgent Motion to Dissolve Temporary Stay or, Alternatively, to Expedite Review (COAP04-570) 5. Def's Motion for Reconsideration	1. Allowed 07/12/04 2. See Special Order 07/13/04 3. See Special Order 07/13/04 4. See Special Order 07/13/04 5. Dismissed 07/29/04
343P04	Home Builders Association of Fayetteville, North Carolina, Inc., et. als v. City of Fayetteville	1. Plts' Petition for Writ of Supersedeas 2. Plts' PWC to Review the Order of the COA (COAP04-571)	1. See Special Order 07/13/04 2. See Special Order 07/13/04

		<p>3. Plts' Alternative Petition for Discretionary Review</p> <p>4. Plts' Motion for Temporary Stay</p> <p>5. Def's Motion for Reconsideration</p>	<p>3. See Special Order 07/13/04</p> <p>4. Allowed 07/12/04</p> <p>5. Dismissed 07/29/04</p>
348P04	State v. Edward Lee Medley	Def's PWC to Review the Order of the Superior Court of Wilkes County	Dismissed
349P04	State v. Ronald Keith Wilburn	Def's PDR Under N.C.G.S. § 7A-31 (COA03-1347)	Denied
350P04	State v. Clay Jerome Frazier, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA03-1146)	Denied
352P04	Benjamin C. Stewart v. William Davis	Petitioner's Motion to Order Relinquishment of Documents	Dismissed
353P04	Christopher P. Stark v. Janaki Ratashara- Stark	<p>1. Plt's <i>Pro Se</i> NOA (Constitutional Question)</p> <p>2. Plt's PDR to Review the Order of the COA (COA04-591)</p> <p>3. Plt's PWC to Review the Order of the COA</p> <p>4. Plt's Motion to Proceed <i>In Forma Pauperis</i></p> <p>5. Plt's Motion to Amend Record on Appeal</p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Denied</p> <p>3. Dismissed</p> <p>4. Allowed</p> <p>5. Allowed</p>
355P04	Randall Lee Conrad v. State of North Carolina	Plt's <i>Pro Se</i> Petition for Writ of Habeas Corpus	Denied 07/23/04
357P04	State v. Alvin V. Haywood	Def-Appellant's <i>Pro Se</i> PDR (COA03- 1277)	Denied

360P04	State v. Clifford Ray Baucom	Def-Appellant's <i>Pro Se</i> Motion for Appropriate Relief	Denied
361P04	State v. Lawrence E. Montague	Def-Appellant's <i>Pro Se</i> Motion for Relief	Dismissed
362P02-3	Rickey Allen Bright v. State of North Carolina	1. Plt's <i>Pro Se</i> Petition for Writ of Habeas Corpus 2. Plt's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Denied 07/29/04 2. Allowed 07/29/04
368P04	In the Matter of: C.B.	Respondent-Father's PDR Under N.C.G.S. § 7A-31 (COA03-644)	Denied
369P04	State v. Gregory Bethea	Def's Motion for Relief	Dismissed
371P04	State v. Joseph Griffith	1. Def's Motion for Continuance 2. Def's Motion to Proceed <i>In Forma Pauperis</i>	1. Dismissed 2. Allowed
372P04	Patrick Qulandis Kent v. State of North Carolina	Def's <i>Pro Se</i> PWC to Review the Orders of the COA (COAP04 & COAP00-177)	Dismissed
373P04	In the Matter of: Q.V.	Respondent's PWC to Review the Decision of the COA (COA03-738)	Denied
376P04	Ronald Wayne Joyce v. State of North Carolina	1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP04-523) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i> 3. Def's <i>Pro Se</i> Motion to Appoint Counsel	1. Dismissed 2. Allowed 3. Denied
377P04	Elsie M. Lee v. Richard O'Brien and wife, Hazel O'Brien	1. Plt's <i>Pro Se</i> PWC to Review the Decision of the COA (COA01-1231)	1. Dismissed as moot

		<p>2. Plt's Motion to Amend PWC</p> <p>3. Plt's Amended PWC</p>	<p>2. Allowed</p> <p>3. Denied</p>
378P04	State v. Leander Dubar	Def's PDR Under N.C.G.S. § 7A-31 (COA03-506)	Denied
382P04	State v. Jimmie Columbus Christmas, Jr.	<p>1. AG's Motion for Temporary Stay</p> <p>2. AG's Petition for Writ of Supersedeas</p> <p>3. AG's PDR Under N.C.G.S. § 7A-31 (COA04-362)</p>	<p>1. Denied 08/05/04</p> <p>2. Denied 08/05/04</p> <p>3. Denied 08/05/04</p>
383P04	State v. Orlando Raphael Clark	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA03-652)	Denied
386P04	State v. Stuart A. Middleton	Def's Petition for Writ of Mandamus	Dismissed
392P04	State v. William Frederick Hall	Def's <i>Pro Se</i> Petition for Writ of Mandamus	Denied
404A92-5	State v. Johnnie Lee Spruill	<p>1. Def's PWC</p> <p>2. Def's Petition for Writ of Mandamus</p>	<p>1. Dismissed as moot 07/23/04</p> <p>2. See Special Order 07/23/04</p>
419P02-2	State v. Charles Edward Malloy	<p>1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-114)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Denied</p>
453P02-2	State v. Eugene Tyrone Miller	Def's <i>Pro Se</i> Motion for Appropriate Relief	Denied

453P03-2	Ronnie Rydell Little v. Judy Sills and Theodis Beck	Plt's PDR	Dismissed
480A99-4	State v. Donald John Scanlon	Def's Motion for Clarification	Denied
516P96-2	State v. Melvin Ricky Johnson	Def's <i>Pro Se</i> PWC to Review the Decision of the COA (COA03-832)	Denied
530PA02	Hoke County Board of Education, et al., Plaintiff and Asheville City Board of Education, et al., Plaintiff Intervenors v. State of North Carolina, et al.	1. Plts' Motion to Amend Record and Correct Caption 2. Plts' Motion to Amend Record on Appeal	1. Allowed 07/30/04 2. Denied 07/30/04
574PA03	State v. Michael Keith Holden	Motion of <i>Amicus Curiae</i> , the American Civil Liberties Union of N.C. Legal Foundation, for Leave to Participate in Oral Argument	Allowed 08/10/04
590P02-2	State v. Aoula Wali Allah	Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP04-215)	Dismissed
601PA03	State v. Corey Tyrone Sneed	1. Def's Conditional Motion for Temporary Stay of Mandate 2. Def's Motion to Modify Opinion for the Purpose of Amending or Clarifying Remand Instructions	1. Dismissed as moot 07/01/04 2. Allowed 07/01/04
631P02-2	State v. Eugene Pavin Strickland	1. Def's <i>Pro Se</i> PWC to Review the Order of the COA (COAP03-25) 2. Def's <i>Pro Se</i> Motion to Vacate Judgment	1. Dismissed 2. Denied
637A84-6	State v. Elton Ozell McLaughlin	Def-Appellant's PWC to Review the Order of the Superior Court	Denied

664A03	Eric John Luhmann v. Billy Hoenig and Cape Carteret Volunteer Fire and Rescue Department, Inc.	Defs' Petition for Rehearing	Denied
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