

**SUPREME COURT OF NORTH CAROLINA**

PETITIONS

Decided by the Court in Conference: 20 August 1999

{Posted on the Internet Web Site: 24 August 1999 at 4:55 p.m.}

**COMMON ABBREVIATIONS**

<b>Abbreviation</b>	<b>Full Term</b>
PWC	Petition for Writ of Certiorari
MTS	Motion for Temporary Stay
NOA	Notice of Appeal
Def	Defendant
Plt	Plaintiff
PDR	Petition for Discretionary Review
Cert	Certiorari
AG	Attorney General

4A95 - 2	State v. Cummings	Def's PWC	Denied
10PA99	Gaston Co. v. Northfield	Gunn's Motion to Appear	Allowed 7/28/99 <b>MARTIN, J. RECUSED</b>
30A81 - 4	State v. Brown, a/k/a Muhammad	(1) AG's Motion to Vacate Stay of Execution (2) AG's PWC to Review Order of Superior Court	(1) (2)
30P97 - 2	Martin v. State of NC	Def's Pro Se PWC	Denied
30P98 - 2	State v. Stevens	(1) Def's Pro Se Motion to Proceed in Forma Pauperis	(1)

		(2) Def's Pro Se PWC	(2)
43A93 - 2	State v. Simpson	Def's PWC	Denied
45A96 - 2	State v. Sharpe	Def's PWC	Denied
55PA99	Sharpe v. Worland	Wesley Long Comm. Hosp. Motion to be certified as Appellant, or, in the alternative, participate in Oral Argument as Amicus Curiae	Allowed to be certified as Appellant
55PA99	Sharpe v. Worland	(1) Def-Appellant's Motion to Strike Plt-Appellee's Brief (2) Plt's Motion to Amend Record	(1) Denied (2) Dismissed as Moot
60A94 - 2	State v. Perkins	Def's PWC	Denied
122A92 - 4	State v. Skipper	(1) Def's Pet. for Writ of Cert. to Review Order of Superior Court (2) Def's Motion for Summary Reversal (3) Def's Motion to Hold PWC in Abeyance (4) AG's Motion to Lift Order Granting Def's Motion to Hold PWC in Abeyance	(1) Denied (2) Denied (3) Allowed 12/3/98 (4) Allowed
134A93 - 6	State v. Keel	(1) Def's PWC	(1) <b>Special Order</b> (2) Allowed

		(2) Def's Motion for Stay of Execution  (3) State's Pet. for Writ of Prohibition	8/3/99  8/3/99
140P99	State v. Treece	(1) Def's PWC to Review COA  (2) Def's PWC to Review Order of Superior Court	(1) Denied  (2) Denied
145A91 - 4	State v. Bates	Def's PWC	Denied
148A91 - 4  148A91 - 3	State v. McHone  McHone v. Surry Co.  Superior Court	(1) Def's PWC  (2) Plt's Pet. for Writ of Mandamus	(1) <a href="#">Special Order</a>  (2) Denied
177A83 - 3	State v. Boyd	(1) Def's MTS (of Warden's Order Scheduling Execution)  (2) Def's Pet. for Writ of Supersedeas (to Stay Warden's Order Scheduling Execution)  (3) Def's PWC  (4) AG's Motion to Vacate TS of Execution  (5) Def's Motion for An Extension of Time to File Response to (4)	(1) Allowed  4/8/99  (2) Denied  (3) Denied  (4) Allowed  (5) Allowed

197A94 - 3	State v. Kandies	(1) Def's PWC to review Order of Sup. Ct. Denying MAR  (2) Def's PWC to review order of Sup. Ct. Denying Amended MAR	(1) Denied  (2) Denied
209A91 - 3	State v. Bacon, Jr.	(1) Def's Pet. for Writ of Cert. to Review Order of Superior Court  (2) Def's Motion for Summary Reversal  (3) AG's Motion for Dismissal for Untimely Filing  (4) Def's Motion to Hold PWC in Abeyance  (5) Def's Motion to Supplement PWC  (6) AG's Motion to Set Aside Order Allowing Def's Motion to Hold PWC in Abeyance	(1) Denied  (2) Denied  (3) Denied  (4) Allowed 12/3/98  (5) Allowed  (6) Allowed
215A96*	State v. LeGrande	AG's Motion to Hold PWC in Abeyance or to Extend Time for State to Respond Until Entry of Written Order Denying Petitioner's MAR	Allow Motion to Extend Time
218A99	Romig v. Jefferson-Pilot	(1) Def's NOA on Dissent	(1) ---  (2) ---

		<p>(2) Def's NOA on Const. Ques.</p> <p>(3) Def's PDR As to <b>Add'l Issues</b></p> <p>(4) Def's PWC</p> <p>(5) Plt's Motion for Admission of David A. Brower</p> <p>(6) Plt's Motion to Dismiss Appeal</p>	<p>(3) Denied</p> <p>(4) Denied</p> <p>(5) Allowed</p> <p>(6) Allowed in part to dismiss defendant's appeal of right on the basis of a substantial constitutional question</p>
236P99	In the Matter Of: Mitchell	Respondent's PDR	Denied
238A94 - 2	State v. Lyons	<p>(1) Def's Motion to By-Pass COA</p> <p>(2) Def's PWC</p>	<p>(1) Allowed</p> <p>(2) Denied</p>
241A97	State v. Wallace	<p>(1) Def's Motion to Amend Record on Appeal</p> <p>(2) Def's Supplement to Motion to Amend Record on Appeal</p>	<p>(1) Allowed</p> <p>(2) Allowed</p>
246P99	Martin v. E&R Farms	<p>(1) Defs' PDR</p> <p>(2) Plt's Conditional PDR <b>AS TO ADD'L ISSUES</b></p>	<p>(1) Denied</p> <p>(2) Dismissed</p>
247P99	Pulliam v. Nova SE University	Plt's PDR	
249P99	State v. Green	Def's Pro Se PWC	Denied

251P99*	In the Matter of: T.S., Juvenile	(1) AG's Motion for Temp. Stay (2) AG's PWC (3) AG's PDR	(1) Allowed 6/8/99 (2) (3)
254P99	State v. King	Def's PDR	Denied
258P99	Cuff v. Pelican	Def's PDR	Denied
259P99	State v. Garner	(1) Def's PDR (2) Def's NOA (3) AG's Motion to Dismiss Appeal	(1) Denied (2) --- (3) Allowed
260P99	Parkwood v. Investors	(1) Defs' PDR (2) NC Assoc. of Child Care & Family Services Motion to File Amicus Curiae Brief (3) Motion of AA on Mental Retardation, et al to File an Amicus Curiae Brief (4) Arc of NC and NC Fair Housing Center's Motion to Amend Amicus Brief	(1) Denied (2) Dismissed as moot (3) Dismissed as moot (4) Allowed 7/23/99
261P99	State v. Davis	(1) Def's NOA (2) Def's PDR (3) AG's Motion to Dismiss Appeal	(1) --- (2) Denied (3) Allowed
262P99	Edwards/Moss v. Bd. of	(1) Plts' PDR	(1) Denied

	Governors of UNC v. Ross	(2) AG's Conditional PDR as to <b>Add'l Issues</b>	(2) Dismissed
263P99	Coleman v. Hines & Hines	Plt's PDR	Denied
264P99	Swan Quarter Farms v. Spencer et al	Defs' PDR	Denied
267PA99 *	Thompson et ux v. Watters	(1) NCATL's Motion to File Amicus  (2) NCATL's Motion for Ext. of Time to File Amicus	(1) Allowed  (2) Allowed
268P99	Hamby v. Sherwin Wms.	Plt's PDR	Denied
271P99	State v. Rankins	Def's Pro Se PDR	Denied
276P99	Lipicki v. ECU	Plt's Pro Se PWC	Denied
277P99	Williams v. Mims & Mims	Defs' PDR	Denied
282P99	State v. Hughes	AG's PDR	Denied
284P99	State v. Blount	(1) Def's MTS  (2) Def's Pet. for Writ of Supersedeas  (3) Def's NOA Based on Const. Ques.  (4) State's Motion to Dismiss Appeal  (5) Def's PDR	(1) Denied  6/24/99  (2) Denied  (3) ---  (4) Allowed  (5) Denied
286PA98	Progressive v. Vasquez et al	Def's (Faison) Pet. for Rehearing	Denied

289P99	Cox v. Bailey	Plt's PDR	Denied
291P99	State v. Foreman	(1) Def's NOA (2) Def's PDR (3) AG's Motion to Dismiss (4) AG's PDR <b>As to Add'l Issues</b>	(1) --- (2) Allowed (3) Allowed (4) Allowed
292P99	State v. Long	(1) Def's NOA (2) Def's PDR (3) State's Motion to Dismiss Appeal	(1) --- (2) Denied (3) Allowed
293P99	Simmons v. Miller	Plt's PDR	Denied
295P99	Lilley v. Blue Ridge Elec. Membership	Def's (Blue Ridge) PDR	Denied
296P99	Terry v. Home Lumber v. Alexis	Plt's PDR	Denied
297P99	Dawson v. Wal-Mart	Plts' PDR	Denied
298P99	Hester v. Wachovia	Plts' PDR	Denied
300P99	Buchanan v. Hight	(1) Plts' NOA (2) Plts' PDR (3) Def's Motion to Dismiss Appeal	(1) (2) (3)
301P99	State v. Locklear	Def's Pro Se PWC	Denied
302P99	Upchurch v. Upchurch	Def's PDR	Denied

304P99	First Citizens Bank v. 4325 Park Road Assoc.	Def-Appellant's PDR	Denied
307P99	State v. Arrington	Def's PDR	Denied
308P99	Robinson v. Leach	Def's PDR	Denied
309P99	Hood v. State (EHNR)	(1) Plt-Appellant's NOA (2) AG's Motion to Dismiss NOA (3) Plt-Appellant's Pro Se PDR	(1) --- (2) Allowed (3) Denied
310P99	Hartzell v. Bryant	Defs' PDR	Denied
311P99	Jones v. Lowe	Plt-Appellant's PWC	Denied
313P99	Hamlet Hosp. v. Richmond Co., et al	Def's (Firsthealth of Carolinas) PDR <b>PRIOR TO DETERMINATION</b>	Denied
314P99	State v. Roten	Def's PWC	Allowed for limited purpose of remanding to the trial court to conduct an evidentiary hearing on defendant's motion for granting a new trial for recanted testimony, and to make appropriate findings of fact and conclusions of law
316P99	State v. Head	(1) Plt's PWC (2) Plt-Appellant's Motion to Dismiss Charges	(1) Denied (2) Denied
317P99	State v. Melton	Def-Appellant's PDR	Denied
318P99	State v. Crosson	Def's Motion for Appropriate Relief	Dismissed

324A99	State v. Trusell	(1) Def's NOA (2) Def's PDR	(1) --- (2) Allowed for limited purpose to review Issue No. 1 (sentencing enhancement)
330P99	Coleman v. State of NC	Plt-Appellant's PWC (DR and Supervisory Opinion)	Denied
331P99	State v. Roberts	(1) State's Pet. for Writ of Supersedeas (2) State's MTS (3) State's PWC to Review Order of COA (4) Def's Motion to Dismiss PWC (5) Def's Motion to Dissolve TS (6) Def's Motion for Expedited Ruling	(1) Allowed (2) Allowed pending determination of the PWC 7/9/99 (3) Allowed (4) Denied (5) Denied (6) Denied
332P99	Utt v. State	Def's Pro Se PWC	Denied
335P99	Faulkenbury v. Teachers	(1) Defs' Pet. for Writ of Supersedeas (2) Defs' MTS (3) Defs' PDR	(1) (2) Allowed 7/22/99 (3) <b>MITCHELL, C.J., RECUSED</b>
338P99	State v. Hasty & Steward	(1) Def's (Hasty) PDR (2) Def's (Stewart) PDR	(1) Denied (2) Denied
340A95*	State v. Morganherring	(1) Def's Pro Se Motion to Amend Assignments of Error	(1) Dismissed (2) Dismissed

		(2) Def's Pro Se Motion to Amend Nunc Pro Tunc Oral Argument Record	
340P99	Howard v. Oakwood Homes Corp.	(1) Plt's PDR (2) Plt's Pet. for Writ of Supersedeas (3) Plt's MTS	(1) Denied (2) Denied (3) Denied
343P99	State v. Florence	(1) Def's NOA (2) Def's PDR (3) AG's Motion to Dismiss Appeal	(1) --- (2) Denied (3) Allowed
351P99	State v. Parks	Def's Pro Se PWC	Denied
363P99	Hatcher v. Maynor & Brooks	Plt's Pet. for Writ of Habeas Corpus	Denied
364P99*	State v. Grigsby	AG's Pet. for Writ of Supersedeas and MTS	MTS allowed 8/9/99
384P99*	State v. Murphy	(1) AG's MTS (2) AG's Pet. for Writ of Supersedeas (3) AG's PDR	(1) Denied (2) Denied (3) Denied
395A91 - 5	State v. Jones	Def's Motion to Reconsider the Denial of Writs of Cert. and Mandamus	<a href="#"><u>Special Order</u></a>
404A92 - 2	State v. Spruill	Def's PWC to Vacate Orders of Superior court	Denied

411A94 - 2	State v. Robinson	Def's PWC	Denied
453A98 - 2	Union Carbide v. Offerman	Multistate Tax Comm's Motion for Admission of Counsel	Allowed 7/28/99 <b>MARTIN, J.</b> <b>RECUSED</b>
500P98 - 2	Deese v. Champion	Plt's PDR	Allowed
540P98	Rush v. Employers Ins. of Wausau et al	(1) Plt's PDR (2) Plt's (Alternative) PWC (3) Plt's Motion to amend PDR or, in the alternative, PWC	(1) (2) (3) Allowed 4/8/99
1000P99*	Ellerbe v. Willoughby	Petitioner's (Pro Se) Pet. for Writ of Mandamus	Dismissed

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