

SUPREME COURT OF NORTH CAROLINA

PETITIONS

Decided by the Court in Conference: 24 August 2000

{Posted on the Internet Web Site: 25 August 2000 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

1P97 - 2	Bicket, et al v. McLean Securities, et al	Plts' PDR	Denied
40P00	Thomas Broome & Frances Broome v. City of Mt. Holly	Plts' PDR	Denied 08/22/00
63A00	Northfield Dev. v. City of Burlington	Def's Motion to Take Judicial Notice	Allowed for limited purpose of arguing request at oral argument
65P00	State v. Henry Levi Pigott	Def's Pro Se PWC to Review the Order of the Superior Court	Denied
76P00	Wilbert A. Neal v. NC St. Bar, Office of Counsel, Douglas	Plt's Pro Se Motion for Reconsideration by the Appellant as	Dismissed

	J. Brocker Deputy Counsel & Chair of Grievance Comm., James K. Dorsett, et al	to Court's Mandamus Order of June 15, 2000	
84PA99	Jack S. Gray & Mary B. Gray t/a Tower Circle Motel v. NC Insurance Underwriting Assoc.	1. Plt's Petition for Rehearing 2. Def's Petition for Rehearing	1. Denied 08/03/00 2. Denied 08/03/00 J. Martin Recused
125P00	State v. Thomas H. Kirklnad, Sr.	1. Def's Pro Se PWC 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Dismissed 2. Allowed
137P00	State v. Joseph Marion Head Junior	Def's Pro Se Motion to Dismiss & for New Trial & for Civil Relief Entitled	Dismissed
137P00	State v. Joseph Marion Head Junior	1. Def's Pro Se Motion for New Trial 2. Def's Pro Se Motion for Relief Stated in N.C.G.S. 17 -10	1. Dismissed 2. Dismissed
152P00	Kenya Paylor Thomas v. Orlando Elliot Washington & Darrell A. Campbell	Plt's PDR	Denied
164A00	State v. Elrico Darnell Fowler	1. Def's Motion for Ext. of Time to File Brief and to Accept Brief as Timely Filed on 7/29/00 2. AG's Motion to Dismiss Capital Appeal	See Special Order
175P99 - 2	State v. Samuel Alando Walker	Def's Pro Se PWC to review decision of COA	Denied

185P00	Winston-Salem Wrecker Assoc. et al v. Ron Barker, Sheriff of Forsyth Cty. et al	1. Plt's NOA 2. Plt's PDR	1. Dismissed ex mero motu 2. Denied
189P00 - 2*	State v. Stephen Clay Jones, Sr.	Def's Pet. for Writ of Habeas Corpus	Denied 07/20/00
197P00	State v. James Elliot Price, Sr.	1. Def's Pro Se PDR 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Denied 2. Allowed
205P00	State v. William David Gray	Def's PDR	Denied
210P00	Charlotte McLain v. Taco Bell Corp., Taylor Foods, Thomas Orr & Michelle Raynor	1. Plt's PDR 2. Def's (Taylor Foods, Inc.) conditional PDR as to additional issues	1. Denied 07/12/00 2. Dismissed as moot 07/12/00
211P00	Lynda Barefoot v. Thermo Industries	Plt's PDR	Denied
213P00	State v. James Edward Benjamin	Def's Pro Se PWC	Denied
214A00	State v. Oid Michael Hawkins	1. Def's PWC to Review Order of Sup. Court 2. Def's Motion to Maintain Sealed Transcript of Ex Parte Portion of Hearing 3. Def's Motion to Withdraw PWC 4. Joint Motion to Withdraw PWC	1. Dismissed as moot 2. Dismissed as moot 3. Dismissed as moot 4. Allowed
216P00	State v. Michael A. Hockaday	Def's Pro Se PWC to Review the Order of the COA	Denied

217P00	Jimmy Smith v. State	1. Plt's Pro Se Pet. for Writ of Mandamus 2. Plt's Pro Se Pet. for Writ of Habeas Corpus	1. Dismissed as moot 2. Dismissed as moot
219P00	State v. Jerry Lee Callahan, Jr.	Def's PDR	Denied
219A91 - 3	State v. Jerry Wayne Conner	Def's Motion to Reconsider Denial of Remand for Evidentiary Hearing	Dismissed
221P00	State v. Frederick Eldridge Martin	1. Def's PWC to Review Order of Sup. Ct. 2. Def's Motion to Compel Production of Complete Transcript 3. Def's Motion for Record on Appeal to be Filed 35 Days Following Production of Complete Transcript	1. Denied 07/12/00 2. Denied 08/22/00 3. Denied 08/22/00
221P96 - 2	State v. Huey Lee Billups	1. Def's Pro Se PWC 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Dismissed 2. Allowed
222P00	Medical Mutual Ins. Co. of NC v. Gary Eugene Mauldin, M.D. & Sylva Anesthesiology	1. Defs' PDR 2. Defs' PWC	1. Allowed 07/25/00 2. Denied 07/25/00
223P00	State v. Brian Kelly Clontz	1. Def's NOA 2. Def's PDR 3. AG's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Allowed
227P00	Jennifer Jacobs v. City of Asheville	1. Def's NOA	1. Dismissed ex mero motu

		2. Def's PDR	2. Denied
230P00	Derrick Miller, Jr. v. Piedmont Steam Co., d/b/a Stanley Steamer	Plts' PDR	Denied
231A00	State v. Alfred William Riley, Jr.	1. Def's NOA based on dissent in COA 2. Def's NOA based on constitutional Question 3. Def's PDR 4. Def's PWC to review decision of COA 5. Def's PWC to review order of COA 6. AG's motion to dismiss 7. AG's motion to dismiss appeal based on dissent	1. --- 2. --- 3. Denied 4. Denied 5. Denied 6. Allowed 7. Allowed
235P00	State v. James Meguell Hill	1. Def's Pro Se Motion to Proceed in forma pauperis 2. Def's Pro Se PWC	1. Allowed 2. Denied
236P00	Arun Bahl & Rayetta Bahl, Administrators of Estate of Rene Lorriane Bahl v. Scott Lee Talford, Robert Jordan, Jr., & Michael E. Vega Arun Bahl & Rayetta Bahl,	Plts' PDR	Denied

	Administrators of Estate of Riana Elizabeth Bahl v. Scott Lee Talford, Robert Jordan, Jr., & Michael E. Vega		
237P00	Johnny Holt v. Food Lion	Plt's PDR	Denied
239P00	State v. Cleveland Purcell Baker	Def's PDR	Denied
245P00	Lexington State Bank v. Peggy Ellington Miller, et al	Defs' (Peggy Miller) PDR	Denied
246P00	Larry Smith v. Nash County, et al	1. Plt's Pro Se PWC 2. Plt's Motion to Proceed in Forma Pauperis	1. Denied 2. Allowed
248P00	State v. Ronald Hammond	Def's Pro Se PWC	Dismissed
253P00	Karl David Patterson v. Carolyn Durdle Patterson v. Paula S. Patterson & Teachers Ins. Annuity Assoc-College Retirement Equities Fund, Third-Party Def.	Intervenor's (Paula S. Patterson) PDR	Denied
254P98 - 2	State v. John G. Atkinson	Def's Pro Se PWC to Review Order of COA	Denied
258P00	Hinton v. Pendergraph & Gilchrist	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied 08/15/00
261P00	Lisa Baker Cucina v. City of Jacksonville & Dixie Faye Pickett	Def's (City of Jacksonville) PDR	Denied

264P00	Herchel Rogers & wife v. City of Wilmington, Respondent	Petitioners' PDR	Denied
267P00	The Estate of Kenneth Fennell v. Richard L. Stephenson, the NC St. Highway Patrol & other Unknown NC St. Highway Patrol Employees	Defs' PDR	Allowed
270P00	Marta Dobrowolska & Pawel Dobrowolski v. Michael Wall and City of Greensboro	1. Def's (City of Greensboro) NOA 2. Def's (City of Greensboro) PDR under G.S. 7A-31	1. - - - 2. Allowed
270P00	Marta Dobrowolska & Pawel Dobrowolski & Robert Dobrowolski v. City of Greensboro	NC Assoc. of Cty. Comm., NC School Boards Assoc., & NC League of Municipalities' motion for leave to file brief as amicus curiae	Allowed
271P00	State v. Kenneth Kenyon Crockett	Def's PDR	Denied
272P00	State v. Amos Andrew Shaw-El	Def's Pro Se PWC to Review the Decision of the COA	Denied
276P00	SMD Enterprises, D/B/A Yellow Cab Co., Respondent v. City of Monroe, Petitioner	Def's PDR	Denied
282P00	State v. Thaddeus Swindler, III	1. Def's Pro Se PWC to Review Decision of COA 2. Def's Pro Se Motin to Proceed in Forma Pauperis	1. Denied 2. Allowed
284P00	State v. Robert Peter Fiedler	1. Def's Motion for Temp. Stay 2. Def's Pet. for Writ of Supersedeas	1. Stay Dissolved 2. Denied

		3. Def's PDR	3. Denied
287P00	Patrick Lattimore & wife v. United Companies Lending Corp.	Plts' Pro Se PWC	Denied
292P00	State v. Kenneth Ray Blue	1. AG's Motion for Temporary Stay 2. AG's Pet. for Writ of Supersedeas 3. AG's PDR	1. Allowed pending determination of AG's PDR 07/10/00 2. Allowed 3. Allowed
293P00	State v. Bobby Ray Todd	Def's Pro Se PWC to Review Decision of COA	Denied
298P00	Charles B. Sisko, Administrator of Estate of Virginia Sisko, & Charles B. Sisko, individually v. Kenneth S. Pritchett	Plts' PDR	Denied
300P00	Jonathan Farber v. NC Psychology Bd.	Plt's Pet. for Writ of Supersedeas	Denied 07/28/00
301P00	Chrysler Financial Co. v. Muriel K. Offerman, in her official capacity as Sec. of Dept. of Revenue	1. Def's PDR 2. Plt's Conditional PDR As To Additional Issues	1. Denied 2. Denied
302P00	State v. Larry Rolando Linney	1. Def's NOA 2. Def's PDR	1. - - -

		<p>3. Def's Motion for Appropriate Relief</p> <p>4. AG's Motion to Dismiss Def's Appeal</p> <p>5. AG's Motion to Deny Def's PDR</p> <p>6. AG's Motion to Deny Def's Motion for Appropriate Relief</p>	<p>2. Dismissed ex mero motu</p> <p>3. Dismissed ex mero motu</p> <p>4. Allowed</p> <p>5. Dismissed as moot</p> <p>6. Dismissed as moot</p>
304P00	State v. Jesse Lee Shook	<p>1. Def's Pro Se Pet. for Writ of Habeas Corpus</p> <p>2. Def's Pro Se PWC to review order of Sup. Ct.</p> <p>3. Def's Pro Se Motion for Appointment of Counsel</p> <p>4. Def's Pro Se Motion to Proceed in forma Pauperis</p>	<p>1. Denied 07/20/00</p> <p>2. Denied 07/20/00</p> <p>3. Denied 07/20/00</p> <p>4. Allowed 07/20/00</p>
305P00*	Christenbury Surgery Center v. NC Dept. of Health & Human Services, Div. of Facility Services	<p>1. Respondent's Motion for Temp. Stay</p> <p>2. Respondent's Pet. for Writ of Supersedeas</p>	<p>1. Denied 07/14/00</p> <p>2. Denied 07/14/00</p>
306P00	State v. Roscoe D. Mills	<p>1. Def's NOA</p> <p>2. Def's PDR</p>	<p>1. - - -</p> <p>2. Denied</p>

		3. AG's Motion to Dismiss	3. Allowed
307P00	State v. William Joyner, Jr.	1. Def's NOA 2. Def's PDR 3. AG's Motion to Dismiss Appeal	1. --- 2. Denied 3. Allowed
309P00	State v. James Robert Barker, et al	Defs' PWC to Review Order of COA	Denied
310P00	State v. Erwin Ellis McMahan	Def's PWC to Review Decision of COA	Denied
311P00	State v. Michael Valentine	1. Def's Pet. for Writ of Mandamus 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Denied 2. Allowed
312P00	Anthony Dove v. State of NC	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied 07/21/00
316P00	Willis White v. William D. Anderson	1. Def's Pro Se Pet. for Writ of Habeas Corpus 2. Def's Pro Se Motion to Proceed in Forma Pauperis	1. Denied 07/25/00 2. Allowed 07/25/00
317P00	State v. Edward Armond Ganey, Jr.	Def's PWC	Dismissed
317P00	State v. Edward Armond Ganey, Jr.	Def's Motion for Leave to File Additional Authority	Allowed
320P00	Robert London, Employee v. Snak Time Catering & Anthem Casualty Ins. Group	Defs' PWC	Denied
321P00*	State v. Melvin Keith Smith	AG's Motion for Temporary Stay	Allowed 07/25/00

322P00	State v. Corey Donnell White	Def's Pro Se PWC to Review Decision of COA	Denied
323P00	Charles A. Simmons, Employee v. Landfill Assoc., Employer; Aetna Life & Casualty/ Travelers Ins. Co.	Plt's PDR	Allowed
323A92 - 5	State v. Charles Alonzo Tunstall	Def's Pro Se Motion for Recusal	Denied J. Freeman did not participate in the hearing of and decision in this motion
324P00	State v. Gary Leonard Blyther	Def's PDR	Denied
327P00	State v. Jimmy Cornell Smith & Richard Elijah Smith	1. Def's (Richard Smith) NOA 2. Def's (Richard Smith) PDR 3. Def's (Jimmy Smith) PDR 4. AG's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Denied 4. Allowed
328P00	NC Farm Bureau Mutual Ins. Co. v. James L. Mizzell & Douglas W. Austin	Def's PDR	Denied
329P00	Ronald Gold Overcash v. City of Concord, City of Concord Planning Comm, & City of Concord Bd. of Adjustments	Def's PDR	Denied
331P00	State v. Donald Demras Parker	Def's PDR	Denied
333P00	State v. Charles B. Keaton	1. Def's Pro Se PWC	1. Denied

		2. Def's Pro Se Motion to Proceed in Forma Pauperis	2. Allowed
334P00	State v. Perry Luther Marley	Def's Pro Se PWC to Review Decision of NC-COA	Denied J. Martin Recused
335P00	State v. Terry Anthony Burns	Def's Pro Se Pet. for Writ of Habeas Corpus	Denied
337P00	State v. Waverly Orlando Harshaw, Jr.	Def's PDR	Denied
339P00	State v. Mark A. Miller	Def's PDR	Denied
345P00	Jerry Mills, Jr. & wife, Terrie Sutherland Mills v. Joseph Wayne Thomas & Andrea West Thomas	Plts' PDR	Allowed
347P00*	State v. Robert L. Chesson	1. AG's Motion for Temp. Stay 2. AG's Pet. for Writ of Supersedeas	1. Denied 08/09/00 2. Denied 08/09/00
351P00*	Robert Anderson Lee v. Jerry O. Adams & Sylvia C. Adams	1. Def's Pro Se Motion for Continued Temporary Stay During Appeal 2. Def's Pro Se PWC 3. Def's Pro Se Motion to Proceed In Forma Pauperis	1. Denied 08/09/00 2. Denied 08/09/00 3. Allowed 08/09/00

354P00	Lynne Herbig Steg v. Brian David Steg	1. Def's Motion for Temp. Stay 2. Def's Pet. for Writ of Supersedeas 3. Def's PWC 4. Plt's Motion to Dismiss Temp. Stay 5. Plt's Motion to Dismiss Pet. for Writ of Supersedeas 6. Plt's Motion to Dismiss PWC	1. - - - 2. Allowed 3. Allowed 4. Denied 5. Denied 6. Denied
361P00	State v. Penny Elizabeth Jarrett	Def's Pet. for Writ of Habeas Corpus	Denied 08/18/00
365P00	Ambrosia Garcia v. William D. Anderson & Wade Hatley	1. Plt's Pro Se Motion to Proceed in Forma Pauperis 2. Plt's Pro Se Pet. for Writ of Habeas Corpus	1. Allowed 2. Denied
392P99 - 2	State v. Gerald Jose Williams	Def's Pro Se PWC	Denied J. Wainwright Recused
424P99 - 2*	State v. Vincent Hall	Def's Pet. for Writ of Habeas Corpus	Denied 07/20/00
441A98*	State v. Golphin	PWC	Denied
506A98 - 2*	Dept. of Transportation v. Joe C. Rowe; Howard L. Pruitt et al	Plt's PDR (alternative PDR)	Denied 08/09/00
530A98*	State v. Patrick Joseph Steen	1. Def's Motion for Temp. Stay of Mandate	1. Dismissed as Moot

		2. Def's Motion to Correct Opinion, and for Other Relief	08/17/00 2. Dismissed 08/17/00
585A97*	State v. Jimmie Wayne Lawrence	Def's Motion for Temp. Stay of Mandate	Dismissed 07/14/00

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