

SUPREME COURT OF NORTH CAROLINA

PETITIONS

24 September 2015

003P10-2	State v. Steven L. Peoples	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31	Dismissed
005PA15	Commscope Credit Union v. Butler and Burke, LLP, et al.	1. Plt's Motion to Remove James L. Wright, Third Party Defendant 2. Plt's Motion to Withdraw Motion to Remove	1. --- 09/02/2015 2. Allowed 09/02/2015 Beasley, J., recused
008PA14	High Point Bank and Trust Company v. Highmark Properties, LLC, Mitchell Blevins, Cynthia Blevins, Charles Williams, and Janice Williams	Plt's Motion for the Court to Take Judicial Notice	Dismissed as moot Ervin, J., recused
008PA14	High Point Bank and Trust Company v. Highmark Properties, LLC, Mitchell Blevins, Cynthia Blevins, Charles Williams, and Janice Williams	Defs' Motion to Strike	Dismissed as moot Ervin, J., recused
019PA14	State v. Randy Benjamin Bartlett	Def's Motion to Take Judicial Notice	Allowed

024PA15	State v. Juan Carlos Benitez	1. Def's Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Lee County 2. State's Motion to Strike Petition for <i>Writ of Certiorari</i>	1. Dismissed 2. Dismissed as moot
032PA15	Eastern Carolina Regional Housing Authority v. Sherbreda Lofton	Motion to Admit Erik R. Zimmerman <i>Pro Hac Vice</i>	Allowed 09/01/2015 Ervin, J., recused
050P12-3	Ovarias Verdad Criego-El v. State	1. Plt's <i>Pro Se</i> Motion for Judicial Notice 2. Plt's <i>Pro Se</i> Motion for Judicial Notice	1. Dismissed 2. Dismissed
071P15	State v. Christopher Allen Reese	Def's PDR Under N.C.G.S. § 7A-31 (COA14-593)	Denied
091P14-3	State v. Salim Abdu Gould	1. Def's <i>Pro Se</i> Motion of Leave to File Individual <i>Writ of Certiorari</i> 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Dismissed 2. Allowed
107P15	Branch Banking and Trust Company v. Hui S. Smith, et al.	Plt's PDR Under N.C.G.S. § 7A-31 (COA14-554)	Denied

108P15	Michael C. Piro v. Karen Shapiro Piro (Now Karen Shapiro)	<p>1. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA14-962)</p> <p>2. Def's <i>Pro Se</i> Motion for Temporary Stay</p> <p>3. Def's <i>Pro Se</i> Petition for <i>Writ of Supersedeas</i></p>	<p>1. Denied</p> <p>2. Allowed 05/11/2015 Dissolved 09/24/2015</p> <p>3. Denied</p>
109P15	State v. Thomas Clay Friday	Def's PDR Under N.C.G.S. § 7A-31 (COA14-529)	Denied
144P15	State v. Calvin Lewis Moore, Jr.	<p>1. State's Motion for Temporary Stay (COA14-1033)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 04/27/2015 Dissolved 09/24/2015</p> <p>2. Denied</p> <p>3. Denied</p>
164P15	State v. Charles Gilbert Gillespie	Def's PDR Under N.C.G.S. § 7A-31 (COA14-953)	Denied

171P15-2	Arthur Donald Darby, Jr. v. Jamie Christina Campbell, Jason Murphy, Attorney, Matthew Rothbeind, Attorney, and Fairmont Police Department, Hamlet Police Department, Robeson County Court, "John Doe"	1. Plt's <i>Pro Se</i> Motion for <i>Error Coram Vobis</i> 2. Plt's <i>Pro Se</i> Motion for <i>Error Coram Nobis</i>	1. Dismissed 2. Dismissed
172P15-2	State v. Mohammed Nasser Jilani	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Dismissed
178P15	State v. Charles Shannon Harrison	Def's PDR Under N.C.G.S. § 7A-31 (COA14-859)	Denied
182A15-2	State v. Adam Jarmal Hodge	Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Dismissed
188A15	Jeffrey Huggins, Employee v. Marlatex Corporation, Employer, and New Hampshire Insurance, Carrier	1. Plt's <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA14-1232) 2. Defs' Motion to Dismiss Appeal	1. --- 2. Allowed
192P15	Erin Isenberg v. North Carolina Department of Commerce, Division of Employment Security	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA14-808)	Denied
199P15	State v. Brent Tyler Miller	State's PDR Under N.C.G.S. § 7A-31 (COA14-1310)	Allowed

213P15	In the Matter of the Foreclosure of Deed of Trust Executed by Daryl O. Sutton and Shonda J. Sutton in the Original Amount of \$136,000.00 Dated April 14, 2005, Recorded in Book 6297, Page 1933, Guilford County Registry, Substitute Trustee Services, Inc., Substitute Trustee	Respondents' PDR Under N.C.G.S. § 7A-31 (COA14-761)	Denied
224P15	In the Matter of: Foreclosure of the Deeds of Trust Executed by Grover C. Brown and Wife, Margaret C. Brown Dated April 1, 1980, Recorded in Book 949, Page 109, and Book 949, Page 111 of the Buncombe County Registry	<p>1. Petitioners' (Grover & Margaret Brown) PDR Under N.C.G.S. § 7A-31 (COA14-937)</p> <p>2. First Choice Title, LLC's Conditional Motion for Leave to File Amicus Brief</p> <p>3. Petitioners' (Grover & Margaret Brown) Motion to Amend PDR</p> <p>4. Petitioners' (Grover & Margaret Brown) Second Motion to Amend PDR</p>	<p>1. Allowed</p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. Allowed</p>
225P15	State v. Connie Prentice Reaves	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA14-1055)	Denied

230A15	Branch Banking & Trust Company v. Peacock Farm, Inc., et al.	Plt's Motion to Supplement the Record	Allowed 09/16/2015
234P15	Jonathan Wilner, et al., and All Others Similarly Situated v. The Cedars of Chapel Hill, LLC, et al.	<p>1. Plts' PDR Under N.C.G.S. § 7A-31 (COA14-380)</p> <p>2. Defs' Conditional PDR Under N.C.G.S. § 7A-31</p> <p>3. North Carolina Association of Realtors' Conditional Motion for Leave to File <i>Amicus</i> Brief</p> <p>4. Defs' Motion to Strike Motion for Leave to File <i>Amicus Curiae</i> Brief on Behalf of the North Carolina Association of Realtors</p>	<p>1. Denied</p> <p>2. Dismissed as moot</p> <p>3. Dismissed as moot</p> <p>4. Dismissed as moot</p>
235P15	Jimmy L. and Angela M. Allen v. Travelers Insurance Company	Plts' <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COA15-427)	Denied
236P15	Jimmy L. and Angela M. Allen v. Travelers Insurance Company and The Charter Oak Fire Insurance Company	Plts' <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COA15-428)	Denied

240P15-2	In the Matter of: Appeal of Celeste G. Broughton, Trustee, from the Decision of the Wake County Board of Equalization and Review Regarding the Valuation and Taxation of Certain Property for Tax Year 2013	Taxpayer's <i>Pro Se</i> Motion for Notice of Appeal (COA15-519)	Dismissed <i>ex mero motu</i>
243P15	State v. Steven L. Lowery	Def's PDR Under N.C.G.S. § 7A-31 (COA14-1306)	Denied
244A15	State v. Tanisha Decole Belcher	Def's Notice of Appeal Based Upon a Constitutional Question (COA15-31)	Dismissed <i>ex mero motu</i>
253P15	State v. Artie Stevenson Smith, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA14-1314)	Denied
254P15	Donna Simmons v. Kathleen M. Waddell	Def's PDR Under N.C.G.S. § 7A-31 (COA14-1214)	Denied
257A15	Joseph Michael Griffith v. Chaplain Hovis, et al.	1. Plt's <i>Pro Se</i> Notice of Appeal Based Upon a Constitutional Question (COA14-1411) 2. Plt's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i> 3. Defs' Motion to Dismiss the Appeal	1. --- 2. Allowed 3. Allowed Jackson, J., recused

258P15	State v. Rahul Rumar Mack	<p>1. Def's <i>Pro Se</i> Motion for Notice of Appeal (COA13-1173)</p> <p>2. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p> <p>3. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i></p>	<p>1. Dismissed <i>ex mero motu</i></p> <p>2. Dismissed</p> <p>3. Denied</p> <p>Ervin, J., recused</p>
265P15	State v. Walter Timothy Gause	Def's Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA14-1085)	Denied
266PA14	Carpenter, et al. v. McKinney, et al.	Plts' Motion to Amend Record on Appeal (COA13-516)	Denied; Special Order
269P15	State v. Danny Lamont Avery	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP15-460)	Dismissed
270P15	State v. Terence D. Smith	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP15-441)	Dismissed

271P15	State v. Felix Ricardo Saldierna	<p>1. State's Motion for Temporary Stay (COA14-1345)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 08/03/2015</p> <p>2. Allowed</p> <p>3. Allowed</p>
272P04-2	State v. James Allen Cook	<p>1. Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP15-290)</p> <p>2. Def's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Dismissed as moot</p>
275P15	State v. Reco Kamson	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court of Mecklenburg County</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p>

279P15	State v. Frederick D. Gibbs	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA14-1052)</p> <p>2. State's Motion to Deem Response Timely Filed</p>	<p>1. Denied</p> <p>2. Allowed</p>
280P15	In re: Foreclosure of Real Property Under Deed of Trust from Michael D. Gutowski and Mary Anne Gutowski, in the Original Amount of \$286,000, Dated November 9, 2006 and Recorded on November 15, 2006 in Book 4367 at Page 502, Union County Registry; Trustee Services of Carolina, LLC, Substitute Trustee	<p>1. Respondents' Notice of Appeal Based Upon a Constitutional Question (COA14-881)</p> <p>2. Respondents' <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p> <p>3. Respondents' <i>Pro Se</i> Motion for Stay of Foreclosure Sale</p> <p>4. Respondents' <i>Pro Se</i> Motion to Enjoin All Other State Actions</p> <p>5. Petitioner's Motion to Dismiss Appeal</p> <p>6. Respondents' <i>Pro Se</i> Motion for Stay in Light of Bankruptcy Filing</p>	<p>1.</p> <p>2.</p> <p>3. Denied 08/25/2015</p> <p>4.</p> <p>5.</p> <p>6.</p>
282P15	Harvey D. Kohn, M.D. v. FirstHealth of the Carolinas, Inc. d/b/a Moore Regional Hospital	Plt's PDR Under N.C.G.S. § 7A-31 (COA14-1210)	Denied

283P15	State v. Robert Earl Wilkerson	Def's PDR Under N.C.G.S. § 7A-31 (COA15-95)	Denied
290P15	State v. Jeffrey Tryon Collington	Def's PDR Under N.C.G.S. § 7A-31 (COA14-1244)	Denied
293P15	State v. Steven Faison-El	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP15-543)	Dismissed
297P15	State v. Terrance Javarr Ross	1. State's Motion for Temporary Stay (COA15-87) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 08/21/2015 2. 3.
299P15	State v, Jessica Rasheeda Jordan	1. State's Motion for Temporary Stay (COA114-1070) 2. State's Petition for <i>Writ of Supersedeas</i> 3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed 08/24/2015 2. 3.

301P15	House of Raeford Farms, Inc. v. North Carolina Department of Environmental and Natural Resources	1. Respondent's Motion for Temporary Stay (COA15-47) 2. Respondent's Petition for <i>Writ of Supersedeas</i> 3. Respondent's PDR Under N.C.G.S. § 7A-31	1. Allowed 08/26/2015 2. 3.
307P14-2	State v. Donald G. Barnette, Jr.	1. Def's <i>Pro Se</i> Motion for Notice of Appeal (COA13-1076) 2. Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>ex mero motu</i> 2. Denied
307P15	The Kimberley Rice Kaestner 1992 Family Trust v. North Carolina Department of Revenue	Plt's PDR Prior to a Decision of the COA (COA15-896)	Denied
311P15	State v. Thedford Roy Rorie, Jr.	1. State's Motion for Temporary Stay (COA14-886) 2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed 09/08/2015 2.

318P15	State v. Edward Williams, III	<p>1. Def's <i>Pro Se</i> Motion for Belated Appeal</p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>3. Def's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Denied</p> <p>3. Dismissed as moot</p>
319P15	State v. Carlton Washington Tomlinson	<p>1. Def's Motion for Temporary Stay</p> <p>2. Def's Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's PDR Under N.C.G.S. § 7A-31 (COA14-1016)</p>	<p>1. Allowed 09/10/2015</p> <p>2.</p> <p>3.</p>
322P15	State v. Raymond Alan Griffin	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 09/18/2015
323A92-10	Charles Alonzo Tunstall-Bey v. Frank W. Ballance, et al.	<p>1. Petitioner's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of the COA</p> <p>2. Petitioner's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Petitioner's <i>Pro Se</i> Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p>

325P15	State v. Mohammed N. Jilani	Def's <i>Pro Se</i> Petition for Writ of <i>Mandamus</i>	Dismissed 09/22/2015
375P09-4	State v. Avenger Ridgeway	Def's <i>Pro Se</i> Motion for Petition to Toss Out Violent Habitual Law	Dismissed
392PA13-2	State v. Robert Timothy Walston, Sr.	1. Def's PDR Under N.C.G.S. § 7A-31 (COA12-1377-2) 2. Def's Petition for Writ of <i>Certiorari</i> to Review Order of COA	1. Special Order 2. Denied
409P05-3	State v. Sebastian X. Moore	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP14-690)	Dismissed
510P04-2	State v. Jose Luis Macias	1. Def's <i>Pro Se</i> Motion for Petition for Writ of Error 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. Denied 09/02/2015 2. Allowed 09/02/2015 3. Dismissed as moot 09/02/2015