

SUPREME COURT OF NORTH CAROLINA

PETITIONS

Decided by the Court in Conference: 5 October 2000

{Posted on the Internet Web Site: 6 October 2000 at 10:45 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

56P00 - 2*	James H. Pou Bailey, et al. v. State	1. Plts' PDR 2. Plts' Motion to Expedite Briefing Schedule & Oral Argument Date	1. Allowed 08/28/00 2. Deferred pending determination of motion to dismiss appeal 08/28/00 Allowed 09/14/00
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		<p>3. Plts' Motion to Expedite Consideration of Motion to Dismiss Appeal</p> <p>4. Plt's Motion to Dismiss Appeal of AG</p> <p>5. Applicant's Motion for Leave to File Brief as Amicus Curiae</p> <p>6. Applicant's Motion for Leave to participate in oral argument</p> <p>7. AG's PWC to review order of Super. Ct.</p> <p>8. AG's Motion Under Rule 2 of Rules of Appellate Procedure</p> <p>9. Applicant's Motion for Leave to be allowed to amend its motion for leave to file amicus curiae brief</p>	<p>3. Allowed-D. of Justice brief due no later than 09/07/00</p> <p>08/28/00</p> <p>4. Held to go with case</p> <p>09/14/00</p> <p>5. Allowed</p> <p>09/14/00</p> <p>6. Denied</p> <p>09/14/00</p> <p>7. Held to go with case</p> <p>09/14/00</p> <p>8. Held to go with case</p> <p>09/14/00</p> <p>9. Allowed</p> <p>09/14/00</p>
70A86 -7	State v. Allen	<p>(1) Def's PWC</p> <p>(2) Def's Motion to Defer Consideration of PWC</p>	<p>(1) Deny</p> <p>(2) Deny</p>
85P00	Terry Mosteller v. Alex Lee, Inc. d/b/a Merchants Distributors, Employer	Def's PDR	

126P97 -2	State v. Baldwin	1. AG's PDR 2. Def's Conditional PDR as to Additional Issues	1. Allow 2. Deny
137P00	State v. Junior	(1) Def's Pro Se Motion for a New Trial (2) Def's Pro Se Motion for Relief	(1) Dismiss (2) Dismiss
164A00	State v. Fowler	(1) Def's Motion for Ext. of Time to File Brief (2) AG's Motion to Dismiss Capital Appeal (3) AG's Motion for Sanctions	(1) Allowed 8/24/00 (2) Denied 8/24/00 (3) Deny
179A93 -4	State v. Burr	Def's PWC	Deny
181P00	State v. Lancaster	(1) Def's PDR (2) Def's MAR	(1) Deny Issues 1-6; allow Issue 7 for ltd. purpose of remand to COA (2) Dismiss
186P00	Karen Robblee, Anthony Jones, F. Michael Brown, Elaine Brown, Carmen Elizabeth Davis, John Davis, III, Juliette Perry Shipley & Joan Shepherd v. Budd Services, Inc.; Sumitomo Electric Lightwave Corp. & Litespec, Inc.	Plt's (Juliette Perry Shipley) PDR	Denied 08/31/00

195A00	State v. Diehl	(1) AG's MTS (2) AG's Pet. for Writ of Supersedeas (3) AG's NOA (4) AG's PDR as to Add'l Issues	(1) Allow (2) Allow (3) --- (4) Allow
249P00	State v. Branch	(1) Def's NOA (2) Def's PDR (3) AG's Motion to Dismiss Appeal (4) AG's Motion to have Response Deemed Timely Filed	(1) --- (2) Deny (3) Allow (4) Allow
262P00	Kemp v. Kemp	(1) Plt's PWC (2) Plt's Pet. to Review Decision of COA	(1) Deny (2) Deny
278PA00	State v. Lucas	Def's MAR	Go with case and both parties allowed to brief. Each side allowed 20 days to file supplemental brief on issues raised in the MAR
279A00	State v. Tamanchies Lakewondo Krider	1. Def's NOA 2. Def's Motion for Appropriate Relief 3. AG's Motion to Dismiss Motion for Appropriate Relief	1. 2. 3.

		4. AG's Motion to Dismiss Appeal Based Upon a Constitutional Question	4.
281P00*	Stephan D. Brooks v. State	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied 08/30/00
281P00 - 2	Stephan D. Brooks v. Supt. Charles E. Hill & State	1. Plt's Pro Se Pet. for Writ of Habeas Corpus 2. Plt's Pro Se Motion to Proceed in Forma Pauperis	1. Denied 08/30/00 2. Allowed 08/30/00
285A00	State v. Guarino	(1) Def's NOA (2) AG's Motion to Dismiss Appeal	(1) --- (2) Allow
287P00 -2	Lattimore et ux v. United Companies Lending	Plts' Pro Se PWC	Dismiss
288A00	State v. McAllister	(1) Def's NOA Based on Const. Ques. (2) AG's Motion to Dismiss Appeal	(1) --- (2) Allow
303P00	Herring et al v. Winston-Salem Bd. of Education & Ronald Liner	(1) Pts' PDR (2) Kierra Harrison Fdn. for Child Care Safety's Motion for Leave to File Amicus Brief	(1) Deny (2) Dismiss as moot
305P00	Center v. NC Dept. of Health & Human Services, Div. of Facility Services	(1) Respondent's MTS (2) Respondent's Pet. for Writ of Supersedeas (3) Respondent's PDR	(1) Denied 7/14/00 (2) Denied 7/14/00 (3) Allow (4) Allow

		(4) Mission-St. Joseph's Health System Motion for Leave to File as Amicus Curiae (5) NC Hospital's Assoc's Motion for Leave to File Amicus Curiae Brief (6) NC Assoc. of County Commissioners' Motion for Leave to Appear as Amicus Curiae	(5) Allow (6) Allow
305P97-3	State v. Francis	Def's Pro Se Pet. for Writ of Mandamus	Denied
308P00	State v. Lathan	Def's PDR	Deny
313P00	State v. Channita	(1) Def's Pro Se Pet. for Writ of Mandamus (2) Def's Pro Se Motion to Proceed in Forma Pauperis	(1) Deny (2) Allow
314P00	Elwood v. Heilig-Meyers Furniture Co.	Plt's PDR	Allow
315P00	In the Matter of: Douglas Voight	(1) Petitioner's PDR (2) Petitioner's PWC (3) Petitioner's Pet. for Remedial Writ	(1) Deny (2) Deny (3) Deny
317P00	State v. Ganey	(1) Def's Pro Se Motion for Leave to File Add'l Authority (2) Def's Pro Se Pet. for Rehearing (3) Def's Pro Se Motion to amend or Strike Order of 24 Aug 00 "Dismissing" the Pet. for Writ of Certiorari" (4) Def's Pro Se Motion to Amend Pet. for Rehearing	(1) Dismiss (2) Dismiss (3) Dismiss (4) Dismiss

321P00	State v. Smith	(1) AG's MTS (2) AG's Pet. for Writ of Supersedeas (3) AG's PDR	(1) Allowed 7/25/00 (2) Allow (3) Allow
325P00	State v. Isom	Def's PWC	Deny
330P00	In re: Biddix and Wal-Mart, Inc	Def's PDR	Deny
336P00	State v. Coplen	Def's PWC	Deny
338P00	Langdon v. DOT	(1) Plt's Pro Se NOA (2) Plt's Pro Se PWC (3) Plt's Pro Se Motion to Invoke Rule 2 (4) Def's Motion to Dismiss Appeal (5) Plt's Pro Se Motion to Invoke Rule 2	(1) --- (2) Deny (3) Deny (4) Allow (5) Deny
340P00	Hamlet HMA d/b/a Hamlet Hospital v. Richmond County et al.	1. Plt's NOA based on constitutional question 2. Plt's PDR 3. Plt's PWC to review decision of COA 4. Def's (Richmond) motion to dismiss appeal 5. Def's (Firsthealth) motion to dismiss appeal 6. Defs's (Richmond) PDR of Additional Issues 7. Def's (Firsthealth) PDR of Additional Issues	1. --- 2. Dismiss 3. Deny 4. Allow 5. Allow 6. Dismiss 7. Dismiss

341P00	Purser v. Heatherline Properties & the PMA Group	Def's Joint PDR	Deny
342P00	State v. Larry d. White	Def's Pro Se PWC to review order of COA	Dismiss
344P98-2	Condellone v. Condellone and Market Master Sales	Plt's PDR	Deny
346P00	State v. Melvin C. Smith	Def's Pro Se PWC to Revie Order of COA	Dismiss
348P00	James W. Little & wife v. Barson Financial Services Corp., Rodney Hairston, Baldwin-Sha Kur & Assocs., Clarke Baldwin, Kimberly Akbar, Farid Sha Kur, Calvin Brice & wife, Faye Y. Brice	1. Plts' PDR 2. Defs' Brice PDR as to Additional Issues	1. Deny 2. Dismiss as moot
350P00*	State v. Eddie Hatcher	Def's Pro Se Motion to Recuse Emergency Judge Jerry Cash Martin	Denied 08/28/00
352P00	State v. Perry Dale Ford	Def's Pro Se PWC to review order of COA	Dismiss
353P00	State v. White	Def's PDR	Deny
356P00	State v. Robert Stevenson Doisey	Def's PDR	Deny
357P00	State v. J. T. Taylor, Zachary Taylor, et al. In the Matter of Estate of John T. Taylor, Jr.	Def's (Zachary Taylor) PDR	Deny
360P00	State v. Covington	Def's PWC	Deny
363P00	In the Matter of: The Appeal of Leon & Mary Corbett	Respondent's PDR	Allow

364P00	State v. Rouse	(1) Def's Pro Se Motion to Proceed in Forma Pauperis (2) Def's Pro Se PWC	(1) Allow (2) Deny
366A00	George C. Yancey, Admin. for Estate of Lucy W. Yancey v. Artie Sylvester Lea and Huss, Inc.	1. Plt's NOA based upon dissent 2. Plt's PDR as to Additional Issues	1. --- 2. Deny
368P00	Ennis v. Fish	Plts' PWC	Deny
369P00	State v. Ross	Def's PDR	Deny
370A00	Levasseur v. Lowery, def; Beam Elec. Co., intervenor; Key Risk Mgt. Services, intervenor	Intervenors' PDR as to Additional Issues	Deny
374P00	Caldwell v. NC DOC	Plt's Pro Se PWC	Deny
376P00	Blue v. Canela, Pendergrass & Camper Products	Def's & Unnamed Intervenor's PDR	Deny
377P00	State v. Hollars	Def's Pro Se PWC	Deny
378P00	State v. Allison	Def's Pro Se PWC	Deny
379P00	Stockton v. NC Farm Bureau	Def's PDR	Deny
380P00	State v. McMillian	Def's PDR	Deny
382P00	Massey et al v. Albemarle Land Co. and City of Charlotte	Def's (Albemarle) PDR Prior to Determination	Deny
383P00	NC Farm Bureau Mutual Ins. Co. v. Sherry Gurley, Jimmy Gurley, Guardian Ad Litem for Kathryn Lynn Gurley & Wendy Woolard & through her Guardian Ad Litem, Gregory James	Def's PDR	Deny
387P00*	State v. Catalina Alonzo	Def's Pet. for Writ of Habeas Corpus	See Special Order

			08/29/00 Dismissed as Moot 09/22/00
389P00	State v. Brown	(1) Def's NOA (2) Def's PDR (3) AG's Motion to Dismiss Appeal	(1) --- (2) Deny (3) Allow
390P00	State v. Dalton	Def's PWC	Deny
392P00	Reece v. Forga	Plt's PDR	Deny
395P00	Triangle Park Chiropractic v. Fred Battaglia, Jr.	Def's PDR	Deny
395A91 -6	State v. Jones	Def's Pet. for Writ of Habeas Corpus	Deny
396P00	State v. Jordan	Def's PWC	Deny
399P00	State v. Green	Def's PDR	Deny
405P00	Register v. Hydro Conduit Corp.	Plt's PDR	
411P00	State v. Safrit	Def's PDR	Deny
412P00	Morris v. Carter et al	Plts' PDR	Deny
415P00	Hunter v. Perquimans Co. Bd. of Education	Plt's PWC	Deny
416P00*	Calvin O'Neil Allen v. Tim O'Dell, Facility Administrator Ronald Moore, Mike Downing	Plt's Pro Se Pet. for Writ of Habeas Corpus	Denied 09/13/00
417P00	State v. Moore	(1) Def's Pro Se PWC (2) Def's Pro Se Motion to Withdraw w/o Prejudice PWC	(1) --- (2) Allow ORR, J. RECUSED

418P00	State v. Faircloth	(1) Def's Pro Se PWC (2) Def's Pro Se Motion to Proceed in Forma Pauperis	(1) Deny (2) Allow
425P00	Debrew v. NC	Plt's Pro Se PWC	Dismiss
427P00	State v. Antoine Depray Jackson	(1) AG's Motion for Temp. Stay (2) AG's Pet. for Writ of Supersedeas (3) AG's PDR (4) Def's Conditional PDR as to Add'l Issues (supplemental memo)	(1) Allowed 09/07/00 (2) Allow (3) Allow (4) Deny
429P00	People of NC, ex rel in the matter of Elizabeth Marie., Rushing-Floyd v. Robert Potter	1. Plt's Pro Se Pet. for Writ of Habeas Corpus 2. Plt's Pro Se Motion for Immediate Emergency Hearing for Pet. for Writ of Habeas Corpus	1. Denied 09/21/00 2. Denied 09/21/00
430P00	Reform Party of NC v. NC State Board of Elections and Patrick J. Buchanan	Plt's PDR PRIOR TO DETERMINATION by COA	Deny
460A91-3	State v. Holden	Def's PWC	Deny
462P00	Short v. Pendergraph	(1) Plt's Pro Se Pet. for Writ of Habeas Corpus (2) Plt's Pro Se Motion to Dismiss Indictments and for Submission to a New Grand Jury (3) Plt's Pro Se Motion to Proceed in Forma Pauperis	(1) Deny (2) Dismiss (3) Allow
464P00*	NC State Bar v. Douglas S. Harris	(1) Plt's MTS	(1) Allowed

		(2) Plt's Pet. for Writ of Supersedeas (3) Plt's PDR	10/5/00 (2) (3)
495P99 -2	Dalton v David Camp et al	(1) Defs' PDR (2) NC Citizens for Business & Industry's Motion for Leave to Appear as Amicus Curiae and File Amicus Curiae Brief	(1) Deny Issue 1; Allow Issues 2 & 3 (2) Allow FREEMAN RECUSED
510A99	State v. Cummings	Def's Motion to Amend Record on Appeal	Allow
588P99-2	State v. McClain	Def's Pro Se Pet. for Censure Plus Sanction	Dismiss

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