

SUPREME COURT OF NORTH CAROLINA

PETITIONS

6 OCTOBER 2011

022A02-2	State v. Marcus Douglas Jones	Attorney DeAngelus Motion to Withdraw and Authorize IDS to Appoint Substitute Counsel	Allowed 09/12/11
033A11	State v. Omar Sidy Mbacke	State's Motion for Supplemental Briefing	Denied 09/12/11
053P09-2	Carroll Douglas Smith v. Melissa Bernard Smith	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-1420)	Denied Jackson, J., Recused
054P11	Ralph Ashley, et al. v. City of Lexington, a North Carolina Municipality	Petitioner-Appellants' PDR Under N.C.G.S. § 7A-31 (COA10-314)	Denied
090P07-2	State v. Lindo Nickerson	1. Def's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i> 2. Def's <i>Pro Se</i> Motion to Appoint Counsel 3. Def's <i>Pro Se</i> Motion for Extension of Time	1. Dismissed as Moot 2. Dismissed as Moot 3. Allowed Jackson, J., Recused

132P11-5	State v. Gregory Lynn Gordon	<p>1. Def's <i>Pro Se</i> Motion for <i>Writ of Mandamus</i> and/or Direct Appeal</p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i></p>	<p>1. Denied 09/30/11</p> <p>2. Denied 09/30/11</p>
138P11	Linda S. Lucas v. R.K. Lock & Associates, an Illinois General Partnership dba Credit Collections Defense Network or CCDN; Federal Debt Relief System, a California General Partnership; Robert K. Lock, Esq.; Colleen Lock; Philip M. Manger, Esq.; and Mark A. Cella	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-874)	Denied

139P11	William G. Harrison, Sr., for Himself and On Behalf of All Others Similarly Situated v. Aegis Corporation, a Missouri Corporation; Debt Jurisprudence, Inc., a Missouri Corporation; R.K. Lock & Associates, an Illinois General Partnership dba Credit Collections Defense Network or CCDN; Robert K. Lock, Esq.; Colleen Lock; Philip M. Manger, Esq.; M. David Kramer; Marcia M. Murphy; and Tracy Webster	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-875)	Denied
140P11	Cathy Horton Hunt v. R.K. Lock & Associates, an Illinois General Partnership dba Credit Collections Defense Network or CCDN; Robert K. Lock, Esq.; Colleen Lock; Philip M. Manger, Esq.; Tracy Webster; and Lawgistix, LLC, a Florida Limited Liability Company	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-891)	Denied

153P11	CRLP Durham, LP v. Durham City/County Board of Adjustment and Ellis Road, LLC	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-120)	Denied
185P11-2	State v. Ronnie Oliver	Def's <i>Pro Se</i> Motion to Request Production of Finding of Facts and Conclusions of Law – Response (COA10-431)	Dismissed

225P11	<p>Latrecia Treadway v. Susanna Krammer Diez; Gene Lummus; Gene Lummus Harley Davidson, Inc.; Mike Calloway, individually, and officially; John Doe, individually and officially; County of Buncombe; Buncombe County Sheriff's Department</p> <p>Hulin K. Treadway v. Susanna Krammer Diez; Gene Lummus; Gene Lummus Harley Davidson, Inc.; Mike Calloway, individually, and officially; John Doe, individually and officially; County of Buncombe; Buncombe County Sheriff's Department</p>	Plts' PDR Under N.C.G.S. § 7A-31 (COA10-887)	<p>Denied</p> <p>Jackson, J., Recused</p>
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227P11	Gerharda H. Sanchez v. Town of Beaufort, Beaufort Board of Adjustment, Beaufort Historic Preservation Commission, and Douglas E. Smith	<p>1. Petitioner's PDR Under N.C.G.S. § 7A-31 (COA10-750)</p> <p>2. Respondent's (Douglas E. Smith) Conditional PDR Under N.C.G.S. § 7A-31</p> <p>3. Respondent's (Town of Beaufort) Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Denied</p> <p>2. Dismissed as Moot</p> <p>3. Dismissed as Moot</p>
237P11	State v. George Junior Hayden	<p>1. State's Motion for Temporary Stay (COA10-1306)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PDR</p> <p>4. Def's Motion for Reconsideration (COA10-1306)</p> <p>5. Def's Motion in the Alternative to Expedite Review (COA10-1306)</p>	<p>1. Allowed 06/14/11; Dissolved the Stay 10/06/11</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Denied 06/20/11</p> <p>5. Dismissed as Moot</p>

241P11	State v. Delton Maynor	<p>1. Def's NOA Based Upon a Constitutional Question (COA10-945)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p>
242P07-2	State v. Yilien Osnarque	Def's <i>Pro Se</i> Motion for Alternative <i>Writ</i> (COAP10-684)	Denied
246P11	In the Matter of: C.L.C.	Respondent-Father's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COAP10-1396)	Denied
256P11	State v. Wendell Dontay Herron	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA10-1360)</p> <p>2. Def's Motion for Temporary Stay</p> <p>3. Def's Petition for <i>Writ of Supersedeas</i></p>	<p>1. Denied</p> <p>2. Allowed 06/27/11; Dissolved the Stay 10/06/11</p> <p>3. Denied</p>
259P11	State v. Emmanuel Ngene	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA10-546)</p> <p>2. State's Motion to Deem Response Timely Filed</p>	<p>1. Denied</p> <p>2. Allowed</p>

263P11	State v. Tracy Keith Riddick	<p>1. Def's NOA Based Upon a Constitutional Question (COA10-1448)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p>
279P11	State v. Aeric L. Whitehead, aka Eric Lamont Whitehead	<p>1. State's Motion for Temporary Stay</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's PWC to Review the Order of the Superior Court of Nash County</p>	<p>1. Allowed 07/11/11</p> <p>2. Allowed – See Special Order</p> <p>3. Allowed – See Special Order</p>
286P11	State v. John House	State's PDR Under N.C.G.S. § 7A-31 (COA10-1071)	Denied
291P11	State v. David Morris Souther	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA10-1235)</p> <p>2. State's Motion to Dismiss Appeal</p>	<p>1. Denied</p> <p>2. Dismissed as Moot</p>
293P11	State v. Reginald Lewis Pratt	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1583)	Denied

295P11	State v. Keith Antione Carter	1. Def's NOA Based Upon a Constitutional Question (COA10-974) 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss	1. - - - 2. Denied 3. Allowed
301A11	State v. Tony Allen Herrin	1. Def's NOA Based Upon a Constitutional Question (COA10-1446) 2. State's Motion to Dismiss Appeal	1. - - - 2. Allowed
302P11	State v. Nicolas Edward Tucci-Casselli	1. Def's NOA Based Upon a Constitutional Question (COA10-825) 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Allowed
306P11	State v. Michael Lee Wright, Jr.	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1251)	Denied

315P11	In the Matter of the Foreclosure of the Deed of Trust of Ormsby King Hackley, III, Grantor	1. Respondent's PDR Under N.C.G.S. § 7A-31 (COA10-757) 2. Petitioner's Conditional PDR Under N.C.G.S. § 7A-31	1. Denied 2. Dismissed as Moot
316P11	John Thompson, Employee v. STS Holdings, Inc., Employer and Wausau Insurance Companies, Carrier	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-581)	Denied
320P11	Mary Gray, Widow of David D. Gray, Deceased Employee v. United Parcel Service, Inc., Employer, Liberty Mutual Insurance Company, Carrier	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA10-754) 2. Plt's PWC to Review Decision of COA	1. Denied 2. Denied
323A92-7	State v. Charles Alonzo Tunstall-Bey	Def's Motion for NOA Pursuant to N.C.G.S. § 7A-30 (1)	Dismissed

325P11	State v. Terry Adonis Baldwin	<p>1. Def's NOA Based Upon a Constitutional Question (COA10-1373)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p>
326P11	State v. Antonio Medrano Ortiz	<p>1. Def's <i>Pro Se</i> PWC to Review Order of COA (COAP11-431)</p> <p>2. Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31</p>	<p>1. Dismissed</p> <p>2. Dismissed</p>
327PA10	State v. Robert Lee Pastuer	Def-Appellee's Motion to Take Judicial Notice of Map	Denied 09/06/11
333P11	State v. Robert Lee Earl Joe	State's PDR Under N.C.G.S. § 7A-31 (COA10-1037)	Allowed
336P11	State v. John Thomas Nackab	<p>1. Def's NOA Based Upon a Constitutional Question (COA10-1444)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p>

337P11	Demetrius Antwan Johnson v. Sherry Sheron Johnson	Def's PDR Under N.C.G.S. § 7A-31 (COA11-41)	Denied
338P11	State v. Luis Castellanos Gomez	Def's <i>Pro Se</i> Motion for PDR (COA10-151)	Denied
339P11	Debra McKoy, as Administratrix of the Estate of Arthur G. McKoy, deceased v. Charles R. Beasley, M.D., and The Lumberton Medical Clinic, P.A.	1. Plt's NOA Based Upon a Constitutional Question (COA09-1315) 2. Plt's PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>Ex Mero Motu</i> 2. Denied Hudson, J., Recused
340P11	State v. Jimmy Wayne Banks	Def's PDR Under N.C.G.S. § 7A-31 (COA10-935)	Denied
342A11	State v. Adrian Dominique Bratton	1. Def's NOA Based Upon a Constitutional Question (COA10-1431) 2. State's Motion to Dismiss Appeal	1. - - - 2. Allowed
348P11	In the Matter of: Jeremy M. Smith v. Lafayette Hall, et al.	Plt's <i>Pro Se</i> Motion for Presentment/Notice of Dishonor/Protest Under Section 3-501 [1] of the Uniform Commercial Code	Dismissed

350P11	State v. Victor Lee Turner	<p>1. Def's <i>Pro Se</i> PWC to Review Order of Superior Court of Gaston County</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Dismissed</p> <p>2. Allowed</p>
351P11	Sandra Yost, as Trustee and Beneficiary of the Research Center Trust and Catherine Caldwell, Vickie King, and Leslee Kulba, as Trustees of the Research Center Trust; Dynamic Systems, Inc., Intervenor, v. Robin Yost and Susan Yost, Individually and in their capacities as Trustees and Trust Protectors of the Research Center Trust	<p>1. Plts' Motion for Temporary Stay (COA10-957)</p> <p>2. Plts' Petition for <i>Writ of Supersedeas</i></p> <p>3. Plts' PDR Under N.C.G.S. § 7A-31</p> <p>4. Plts' and Intervenor-Plaintiff's Motion to Amend Petition for <i>Writ of Supersedeas</i></p>	<p>1. Allowed 08/19/11; Dissolved the Stay 10/06/11</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Allowed</p>
353P11	State v. Thomas Cleveland Trammell	<p>1. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA10-1606)</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied</p> <p>2. Allowed</p>

359P11	Bobby E. McKinnon v. CV Industries, Inc.	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-1105)	Denied
360P11	State v. Toby Leonard	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA10-1387)	Denied
362P11	Jimmy Harston v. Lyndo Tippett, N.C. Secretary of Transportation	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA10-840)	Denied
367P11	Nanette Herbert, Administrator of the Estate of Shirley L. Sykes v. Kay Harrison Marcaccio and John Douglas Marcaccio	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-876)	Denied
370P11	State v. Michael Levonne Grier	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1267)	Denied
371A11	State v. Kim Antonio Griffin	<p>1. Def's <i>Pro Se</i> NOA Based Upon a Constitutional Question (COA10-1274)</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 <i>Ex Mero Motu</i></p> <p>2. Allowed</p> <p>3. Dismissed as Moot</p>

372P11	Michael Moorefield Architects, PC v. Carvin Stevens	Def's <i>Pro Se</i> PWC to Review Order of Superior Court of New Hanover County	Dismissed
373P11	Tamida Wynn, Employee v. United Health Services / Two Rivers Health-Trent Campus, Employer and The Phoenix Insurance Company, Carrier	Def's Motion for Temporary Stay (COA10-991)	Allowed 09/02/11
375P11	State v. Lee Centelle Richardson	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA10-1575)	Denied
388P11	State v. James Charles Woodard	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1078)	Denied
392P11	State v. David A. Bowie	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 09/12/11
393P11	State v. David Dale Ramey	1. Def's NOA Based Upon a Constitutional Question (COA10-1197) 2. Def's PDR Under N.C.G.S. § 7A-31 3. Def's Motion to Appoint Counsel	1. Dismissed <i>Ex Mero Motu</i> 2. Denied 3. Dismissed as Moot

399P11	State v. Nathaniel Goode	<p>1. Def's <i>Pro Se</i> PWC to Review Order of COA (COAP10-635)</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>
400P09-2	State v. Juan Cabrera Flores	Def's <i>Pro Se</i> PWC to Review Order of Superior Court of Wake County	Dismissed
404P11	State v. Raymundo Antonia Castaneda	<p>1. Def's NOA Based Upon a Constitutional Question (COA11-7)</p> <p>2. Def's PDR Under N.C.G.S. § 7A-31</p> <p>3. State's Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p>
408P11	<p>James Pressley Torrence, Sr., Employee v. Aeroquip n.k.a. Eaton Corp., Employer, Self-Insured</p> <p>(Sedgwick CMS, Third-Party Administrator)</p>	Def's Motion for Temporary Stay (COA10-1279)	Allowed 09/20/11

415P11	Correna C. Howe v. Bradley Earl Howe	<p>1. Def's <i>Pro Se</i> NOA Based Upon a Constitutional Question (COA10-1230)</p> <p>2. Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31</p>	<p>1. Dismissed <i>Ex Mero Motu</i></p> <p>2. Denied</p>
466P04-2	State v. Michael Oren Davis	Def's <i>Pro Se</i> PWC to Review the Order of COA (COAP11-262)	Dismissed
581P04-5	State v. Darrick Lamont King	<p>1. Def's <i>Pro Se</i> Motion for NOA (COAP11-724)</p> <p>2. Def's <i>Pro Se</i> Motion for Relief From Judgment (COAP11-724)</p>	<p>1. Dismissed <i>Ex Mero Motu</i></p> <p>2. Dismissed</p>