

**SUPREME COURT OF NORTH CAROLINA**

**PETITIONS**

**7 December 2017**

091P14-4	State v. Salim Abdu Gould	<p>1. Def's <i>Pro Se</i> Motion for Stay</p> <p>2. Def's <i>Pro Se</i> Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied <b>11/16/2017</b></p> <p>2.</p> <p>3.</p>
109P17-2	In re:  Olander R. Bynum	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	Denied
114P17	State v. Kevin Salvador Golphin	Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Cumberland County	Dismissed without prejudice to Defendant's right to seek appropriate relief in the trial court <b>11/08/2017</b>

151P15-2	State v. Timothy Neal Prince	Def's PDR Under N.C.G.S. § 7A-31 (COA16-1275)	Denied
158P06-16	State v. Derrick D. Boger	Def's <i>Pro Se</i> Motion for Civil Complaint in Tort Action	Dismissed
168A17	In re:  Southeastern Eye Center	Defendant's (Douglas S. Harris) Motion to Consolidate Appeals	Denied <b>11/15/2017</b>
176P17	Andy Learnon Crabtree and Carol Ann Crabtree v. Elesha M. Smith, d/b/a The Law Firm of Elesha M. Smith; Bank of America, N.A. f/k/a BAC Home Loans Servicing, LP; Rushmore Loan Management Services LLC; and U.S. Bank, N.A.	Plts' PDR Under N.C.G.S. § 7A-31 (COA16-864)	Denied
178P17	Karyn Wilson and Thomas Baumgardner, Individually, and Walter L. Hart, IV, Guardian Ad Litem for B.B., a Minor v. Ashley Women's Center, P.A., George Daniel Jacobs, M.D., and Nancy Kuney, CNM	1. Plts' PDR Under N.C.G.S. § 7A-31 (COA16-1004)  2. Defendants' Conditional PDR Under N.C.G.S. § 7A-31	1. Denied  2. Dismissed as moot

<p>195P17</p>	<p>Chelsea Doolittle v. Robert M. George, in his Individual Capacity as an Officer of the Hickory Police Department; Vidal A. Sipe, in his Individual Capacity as an Officer of the Hickory Police Department; Frank C. Pain, in his Individual Capacity as an Officer of the Hickory Police Department; and The City of Hickory, a North Carolina Municipality</p>	<p>1. Def's (Robert M. George) Motion for Temporary Stay (COAP17-349)</p> <p>2. Def's (Robert M. George) Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's (Robert M. George) Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>4. Def's (Robert M. George) Motion to Amend or Supplement Petition for <i>Writ of Certiorari</i>, Petition for <i>Writ of Supersedeas</i>, and Motion for Temporary Stay</p> <p>5. Def's (Robert M. George) Motion for Leave to File Reply to Response to Petition for <i>Writ of Certiorari</i>, Petition for <i>Writ of Supersedeas</i>, and Motion for Temporary Stay</p> <p>6. Def's (Robert M. George) Motion to File Confidential Material Under Seal</p>	<p>1. Allowed <b>06/16/2017</b> Dissolved <b>12/07/2017</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Allowed</p> <p>5. Allowed <b>07/13/2017</b></p> <p>6. Dismissed as moot</p>
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		7. Def's (Robert M. George) Motion to Amend or Supplement Motion to File Confidential Material Under Seal	7. Special Order
196P17	Maeghan Richmond v. Robert M. George, in his Individual Capacity as an Officer of the Hickory Police Department; Vidal A. Sipe, in his Individual Capacity as an Officer of the Hickory Police Department; Frank C. Pain, in his Individual Capacity as an Officer of the Hickory Police Department; and The City of Hickory, a North Carolina Municipality	<p>1. Def's (Robert M. George) Motion for Temporary Stay (COAP17-350)</p> <p>2. Def's (Robert M. George) Petition for <i>Writ of Supersedeas</i></p> <p>3. Def's (Robert M. George) Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>4. Def's (Robert M. George) Motion for Leave to Amend or Supplement Petition for <i>Writ of Certiorari</i>, Petition for <i>Writ of Supersedeas</i>, and Motion for Temporary Stay</p> <p>5. Def's (Robert M. George) Motion for Leave to File Reply to Response to Petition for <i>Writ of Certiorari</i>, Petition for <i>Writ of Supersedeas</i>, and Motion for Temporary Stay</p>	<p>1. Allowed <b>06/19/2017</b> Dissolved <b>12/07/2017</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Allowed</p> <p>5. Allowed <b>07/28/17</b></p>

200P17	Barry D. Edwards, XMC Films, Incorporated, Aegis Films, Inc., and David E. Anthony v. Clyde M. Foley, Ronald M. Foley, Lavonda S. Foley, Samuel L. Scott, CRS Trading Co. LLC, Brown Burton, Ronald Jed Meadows, and American Solar Kontrol, LLC	<p>1. Defs' Motion for Temporary Stay (COA16-1060)</p> <p>2. Defs' Petition for <i>Writ of Supersedeas</i></p> <p>3. Defs' PDR Under N.C.G.S. § 7A-31</p> <p>4. Motion to Admit Bryan M. Knight <i>Pro Hac Vice</i></p>	<p>1. Allowed <b>06/20/2017</b> Dissolved <b>12/07/2017</b></p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Dismissed as moot</p>
222A17	State v. Sam Babb Clonts, III	<p>1. State's Motion for Temporary Stay (COA16-566)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's Notice of Appeal Based Upon a Dissent</p> <p>4. State's PDR of Additional Issues</p>	<p>1. Allowed <b>07/07/2017</b></p> <p>2. Allowed</p> <p>3. ---</p> <p>4. Allowed</p>
240P17-2	In re:  Bruce Bunting	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Mandamus</i>	1. Dismissed
250P17	State v. Justin Lee Perry	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA16-768)	Denied

252P17	State v. Sammy Lee Hensley, Sr.	1. Def's Notice of Appeal Based Upon a Constitutional Question (COA16-689)  2. Def's PDR Under N.C.G.S. § 7A-31  3. State's Motion to Dismiss Appeal	1. ---  2. Denied  3. Allowed
254P09-2	David Reed Wilson v. Mark Carver, Supt. Of Caswell Correctional Center #4415	Petitioner's <i>Pro Se</i> Motion for PDR (COAP17-641)	Denied <b>11/06/2017</b>
259A17	In re:  Southeastern Eye Center	Defendant's (Douglas S. Harris) Motion to Consolidate Appeals	Denied <b>11/15/2017</b>
268P17	Estate of Vaughn E. Russell, By and Through Its Administrator, Nancy E. Russell, and Nancy E. Russell, Individually v. Sondra Lynn Russell and Janice M. Russell	Plts' PDR Under N.C.G.S. § 7A-31 (COA17-21)	Denied
270P17	In the Matter of:  M.B., B.B., and J.B.	Respondent-Mother's PDR Under N.C.G.S. § 7A-31 (COA16-1270)	Denied
282P17	Thomas Bentley, Employee v. Jonathan Piner Construction, Alleged Employer, Stonewood Insurance Company, Alleged Carrier	Plt's PDR Under N.C.G.S. § 7A-31 (COA16-62-2)	Denied

290A17	State v. Marcus Marcel Smith	1. State's Motion for Temporary Stay (COA16-1229)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's Notice of Appeal Based Upon a Dissent  4. State's PDR as to Additional Issues  5. Def's Motion to Dismiss or Clarify the Scope of Notice of Appeal  6. Def's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>08/28/2017</b>  2. Allowed  3. ---  4. Allowed  5.  6. Allowed
292P03-4	State v. Wali Farad Muhammad Bilal	Def's <i>Pro Se</i> Motion for PDR (COAP17-579)	Dismissed
292P17	State v. Walter Columbus Simmons	1. State's Motion for Temporary Stay (COA16-1065)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31  4. Def's Conditional PDR Under N.C.G.S. § 7A-31	1. Allowed <b>08/29/2017</b> Dissolved <b>12/07/2017</b>  2. Denied  3. Special Order  4. Denied

294P17	State v. Nancy Benge Austin	Def's Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP17-508)	Allowed
295P17	State v. Terry Jerome Wilson	1. State's Motion for Temporary Stay (COA16-1212)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>09/01/2017</b>  2. Allowed  3. Allowed
297P17	In the Matter of: N.X.A.  and  In the Matter of: B.R.S.A-D. and D.S.K.A-D.	Respondent-Mother and Respondent-Father's Joint PDR Under N.C.G.S. § 7A-31 (COA17-95)	Denied
305P17	State v. William Jesse Buchanan	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Decision of COA (COA16-697)  2. Def's <i>Pro Se</i> Motion for PDR  3. Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	1.  2.  3. Denied <b>12/07/2017</b>
307PA17	Soma Technology, Inc. v. Dalamagas, et al.	Joint Motion to Withdraw Appeals	Allowed <b>11/21/2017</b>



308A17	Soma Technology, Inc. v. Dalamagas, et al.	Joint Motion to Withdraw Appeals	Allowed <b>11/21/2017</b>
310A16	Worley, et al. v. Moore, et al.	Plts' Motion for Leave to Submit Supplemental Response	Allowed <b>Ervin, J., recused</b>
311P17	Angela Brown, Next of Kin of Donald L. Brown, Deceased Employee v. N.C. Department of Public Safety, Employer, Self-Insured (Corvel Corporation, Third-Party Administrator)	Plt's PDR Under N.C.G.S. § 7A-31 (COA16-740)	Denied
313P17	Arthur McArdle, Kimberly McArdle, Seldon Jones, Jacob McArdle, Hannah McArdle, Banning McArdle, and Frederick S. Barbour, as Guardian ad Litem for Sophie McArdle v. Mission Hospital, Inc. and Mission Health System, Inc.	1. Plts' PDR (COA16-554)  2. Plts' Motion to Amend PDR	1. Denied  2. Allowed
315P17	Judith Barbee and Thomas Barbee, Co-Administrators of the Estate of Lauren Barbee v. WHAP, P.A. and Lyndhurst Gynecologic Associates, P.A.	1. Plts' PDR Under N.C.G.S. § 7A-31 (COA16-1154)  2. Plts' Motion to Withdraw PDR	1. ---  2. Allowed

324P17	Martin T. Slaughter v. Nicole B. Slaughter	<p>1. Def's PDR Under N.C.G.S. § 7A-31 (COA16-1153)</p> <p>2. Plt's Conditional PDR Under N.C.G.S. § 7A-31</p> <p>3. Def's Motion to Withdraw PDR</p>	<p>1. --- <b>11/14/2017</b></p> <p>2. Dismissed as moot <b>11/14/2017</b></p> <p>3. Allowed <b>11/14/2017</b></p>
327P17	Jeff Myres, Employee v. Strom Aviation, Inc., Employer; and United States Fire Insurance Company / Crum & Forster Insurance Company, Carrier	Plt's PDR Under N.C.G.S. § 7A-31(c) (COA16-558)	Denied
329P17	Cynthia Frank, Employee v. Charlotte Symphony, Employer, and Selective Insurance Company of America, Carrier	Plt's PDR Under N.C.G.S. § 7A-31 (COA17-211)	Denied
333P17	North Carolina State Board of Education v. The State of North Carolina, and Mark Johnson, in his Official Capacity	<p>1. Plt's Motion for Temporary Stay (COAP17-687)</p> <p>2. Plt's Petition for <i>Writ of Supersedeas</i></p> <p>3. Plt's PDR Prior to a Determination by the COA</p>	<p>1. Allowed <b>10/16/2017</b></p> <p>2. Allowed</p> <p>3. Allowed</p> <p><b>Martin, C.J., recused</b></p>

341P17	Mark Malecek v. Derek Williams	1. Notice of Appeal Based Upon a Constitutional Question Under N.C.G.S. § 7A-30(1) (COA16-830)  2. PDR Under N.C.G.S. § 7A-31	1. Dismissed <i>ex mero motu</i>  2. Denied
342P17	State v. Daniel Richard McCoy	Def's PDR Under N.C.G.S. § 7A-31 (COA16-1099)	Denied
344P17	State v. Michael Lewis Williams	1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of COA (COAP17-495)  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. Dismissed  2. Allowed  3. Dismissed as moot
345P17-2	Eddricco Li'Shaun Brown v. State of N.C.	1. Petitioner's <i>Pro Se</i> Motion for Notice of Appeal  2. Petitioner's <i>Pro Se</i> Motion to Demand Default Judgment	1. Denied <b>11/06/2017</b>  2. Denied <b>11/06/2017</b>
346P17	State v. Leon Devela Caldwell	Def's <i>Pro Se</i> Motion for Appropriate Relief	Dismissed without prejudice

347P17	Jonathan James Newell v. N.C. Department of Public Safety Division of Adult Corrections	Petitioner's <i>Pro Se</i> Motion for PDR (COAP17-721)	Dismissed
348P17	State v. Matthew Scott Krause	Def's <i>Pro Se</i> Motion for PDR Under N.C.G.S. § 7A-31 (COAP17-677)	Dismissed
350A17	State of N.C. <i>ex rel.</i> Utilities Commission, et al. v. N.C. Waste Awareness & Reduction Network	1. Center for Biological Diversity, Food and Water Watch, Friends of the Earth, Greenpeace, Inc., and Institute for Local Self-Reliance's Motion for Leave to File Amicus Brief  2. Motion to Admit Anchun Jean Su <i>Pro Hac Vice</i>  3. Motion to Admit Howard M. Crystal <i>Pro Hac Vice</i>	1. Allowed <b>11/20/2017</b>  2. Allowed <b>11/20/2017</b>  3. Allowed <b>11/20/2017</b>
352P17	State v. Thomas W. McNeill	Def's <i>Pro Se</i> Motion for PDR (COAP17-629)	Dismissed
355P17	State v. Antione Cedric McKenith	Def's PDR Under N.C.G.S. § 7A-31 (COA17-81)	Denied

357P17	State v. Fredrick Canady	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Columbus 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>
358A16	In re:  Southeastern Eye Center	Defendant's (Douglas S. Harris) Motion to Consolidate Appeals	Denied <b>11/15/2017</b>
360P17	State v. Kevin Christopher McReed	Def's PDR Under N.C.G.S. § 7A-31 (COA17-229)	Denied
361P17	Blue Ridge Healthcare Hospitals Inc. d/b/a Carolinas Healthcare System – Blue Ridge, Petitioner v. NC Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section, Respondent, and Caldwell Memorial Hospital, Inc. and SCSV, LLC, Respondent-Intervenors	Petitioner's PDR Under N.C.G.S. § 7A-31 (COA17-137)	Denied

363A14-3	Sandhills Amusements, Inc., et al. v. Sheriff of Onslow County, et al.	1. Plts' Motion for Temporary Stay (COAP17-693)  2. Plts' Petition for <i>Writ of Supersedeas</i>  3. Plts' Petition for <i>Writ of Certiorari</i> to Review Order of COA	1. Denied <b>11/13/2017</b>  2.  3.  <b>Ervin, J., recused</b>
363P17	In the Matter of:  J.M. and J.M.	1. Respondent-Father's PDR Under N.C.G.S. § 7A-31 (COA17-275)  2. Petitioner and GAL's Conditional PDR Under N.C.G.S. § 7A-31	1. Allowed  2. Allowed
364P17	State v. J. Guadalupe Garay Galindo	Def's <i>Pro Se</i> Motion for PDR (COAP17-590)	Dismissed
367P17	State v. Zachary John Rose	1. State's Motion for Temporary Stay (COA17-190)  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>11/03/2017</b> Dissolved <b>11/27/2017</b>  2. Dismissed as moot <b>11/27/2017</b>

370A17	State v. Dyquaon Kenner Brawley	<p>1. State's Motion for Temporary Stay (COA17-287)</p> <p>2. State's Petition for <i>Writ of Supersedeas</i></p> <p>3. State's Notice of Appeal Based Upon a Dissent</p>	<p>1. Allowed <b>11/06/2017</b></p> <p>2. Allowed <b>11/28/2017</b></p> <p>3. ---</p>
372P07-3	State v. Ricky Dean Johnson	<p>1. Def's <i>Pro Se</i> Petition for <i>Writ of Certiorari</i> to Review Order of Superior Court, Cleveland County</p> <p>2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p> <p>3. Def's Motion to Appoint Counsel</p>	<p>1. Dismissed</p> <p>2. Allowed</p> <p>3. Dismissed as moot</p> <p><b>Ervin, J., recused</b></p>

372P17	<p>In the Matter of:</p> <p>Kenneth Kelly Duvall v. State of N.C., et al.</p>	<p>1. Petitioner's <i>Pro Se</i> Motion for Default Judgment (COAP17-711)</p> <p>2. Petitioner's <i>Pro Se</i> Motion for Injunctive Relief and <i>De Novo</i> Review and Answers to Constitutional Questions</p> <p>3. Petitioner's <i>Pro Se</i> Motion to Appoint Counsel</p> <p>4. Petitioner's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Denied <b>11/07/2017</b></p> <p>2.</p> <p>3.</p> <p>4.</p>
373P17	<p>Mike Causey, Commissioner of Insurance of North Carolina v. Cannon Surety, LLC, a North Carolina Limited Liability Company</p>	<p>1. Petitioner's Motion for Temporary Stay</p> <p>2. Petitioner's Petition for <i>Writ of Supersedeas</i></p> <p>3. Petitioner's Notice of Appeal</p> <p>4. Petitioner's Petition for Writ of Certiorari to Review Order of Business Court</p>	<p>1. Denied <b>11/07/2017</b></p> <p>2. Denied <b>11/07/2017</b></p> <p>3. Dismissed <i>ex mero motu</i> <b>11/07/2017</b></p> <p>4. Denied <b>11/07/2017</b></p>



379A17	State of N.C. v. Brandon Malone	1. State's Motion for Temporary Stay (COA16-1290)  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>11/09/2017</b>  2.
386P17	Eric Jamal Whitley v. Donnie Harrison	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>11/17/2017</b>
387P17	In re:  Timothy D. Reels, Jr.	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>11/16/2017</b>
388P17	State v. Andwele Willie Eaves	1. Def's Motion for Temporary Stay (COA17-159)  2. Def's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>11/16/2017</b>  2.
393P17	State v. Byron Jerome Parker	1. State's Motion for Temporary Stay (COA17-108)  2. State's Petition for <i>Writ of Supersedeas</i>  3. State's PDR Under N.C.G.S. § 7A-31	1. Allowed <b>11/21/2017</b>  2.  3.
394P17	State v. Dontail Brinkley	1. State's Motion for Temporary Stay  2. State's Petition for <i>Writ of Supersedeas</i>	1. Allowed <b>11/21/2017</b>  2.

398P15-2	Samuel Lee Gaskins v. Larry Dail, Superintendent	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>11/06/2017</b>
398P15-3	Samuel Lee Gaskins v. Larry Dail, Superintendent	Petitioner's <i>Pro Se</i> Motion to Reconsider Order Denying Petition for <i>Writ of Habeas Corpus</i>	Dismissed <b>11/17/2017</b>
403P17	Cameron Lee Hinton v. Donnie Harrison; Wake County Detention Center	Petitioner's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied <b>11/28/2017</b>
404P17	Nancy Rogers, et al. v. Claudia Metcalf, et al.	1. Defs' <i>Pro Se</i> Motion for Temporary Stay  2. Defs' <i>Pro Se</i> Emergency Petition for <i>Writ of Certiorari</i> to Review Order of COA  3. Defs' <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Allowed <b>11/28/2017</b> Dissolved <b>12/07/2017</b>  2. Denied  3. Allowed

405P17	State v. J.C.	<p>1. State's Motion for Temporary Stay (COA17-207-2)</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>4. State's Petition for <i>Writ of Certiorari</i> to Review Order of COA</p> <p>5. Petitioner's Motion to Proceed Under a Pseudonym</p> <p>6. Petitioner's Motion to Restrict Electronic Access, Place Case "Under Seal," and Redact Superior Court Case Numbers from All Published Materials</p>	<p>1. Allowed <b>11/27/2017</b></p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p>
421P10-7	Robert Alan Lillie v. Mark Carver, Superintendent of Caswell Correctional Center	Petitioner's <i>Pro Se</i> Motion to Reconsider	Dismissed
514PA11-2	State v. Harry Sharod James	State's Motion to Amend Its Brief as Appellant by Striking a Portion of the Brief	Allowed