

SUPREME COURT OF NORTH CAROLINA

PETITIONS

8 December 2011

022A02-2	State v. Marcus Douglas Jones	1. Def's Motion for Stay of Proceeding 2. Def's Motion in the Alternative for Extension of Time to File PWC	1. Denied 11/23/11 2. Allowed 11/23/11
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114A10	State v. Kenneth Bernard Davis	<p>1. Def's NOA Based Upon a Constitutional Question (COA09-278)</p> <p>2. State's Motion to Dismiss Appeal</p> <p>3. Def's <i>Pro Se</i> Motion to File Motion for Appropriate Relief Pursuant to the All Writs Act</p> <p>4. Counsel for Def's Motion to Withdraw</p> <p>5. Def's <i>Pro Se</i> Motion for Appellant Brief of Amended Appeal from Mecklenburg County Superior Court</p> <p>6. Def's <i>Pro Se</i> Motion for Termination of Counsel and Reappointment of Defense Appellate Counsel</p>	<p>1. - - -</p> <p>2. Allowed</p> <p>3. Dismissed 12/15/10</p> <p>4. Dismissed as Moot</p> <p>5. Dismissed as Moot</p> <p>6. Dismissed as Moot</p>
132P11-6	State v. Gregory Lynn Gordon	Def's <i>Pro Se</i> Petition for <i>Writ of Habeas Corpus</i>	Denied 12/06/11

180P11	Anne Marie Long v. Gateway Communities, LLC (f/k/a Gateway Homes, LLC), Douglas R. Levin, Vernon L. Faircloth, John A. Ashworth, IV, B & G Realty Company (f/k/a Brown & Glenn Realty), and Brown & Glenn Realty Co., Inc.	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-599)	Denied
188P08-2	State v. Michael Lamont Speller	<p>1. Def's <i>Pro Se</i> PWC to Review Order of COA (COAP11-217)</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> <p>Hudson, J., Recused</p>
213PA10	Jerry W. Conner, James A. Campbell, James Edward Thomas, Marcus Robinson, and Archie Lee Billings v. Council of State of North Carolina	Petitioners' Petition for Rehearing	Denied

262P11	State Farm Mutual Automotive Insurance Company v. Norberto Bustos-Ramirez, Augustine M. Perez, and the Estate of Sergio Umberto Morales Arriaga	Def's (Estate of Arriaga) PDR Under N.C.G.S. § 7A-31 (COA10-1087)	Denied
307P11	Laboratory Corporation of America Holdings, Dianon Systems, Inc. v. Cindy Caccuro and Lakewood Pathology Associates, Inc. d/b/a Plus Diagnostics	<p>1. Def's (Cindy Caccuro) NOA Based Upon a Constitutional Question (COA10-877)</p> <p>2. Def's (Cindy Caccuro) PDR Under N.C.G.S. § 7A-31</p> <p>3. Motion for William G. Miozzi to Appear <i>Pro Hac Vice</i></p> <p>4. Plts' Motion to Dismiss Appeal</p>	<p>1. - - -</p> <p>2. Denied</p> <p>3. Allowed</p> <p>4. Allowed</p>
335P11	State v. George Kevin Faison	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1236)	Denied

355P11	Wachovia Bank National Association and Preserve Holdings, LLC, as Substituted Successor Plaintiff v. Superior Construction Corporation, George Rountree, III, Receiver for Intracoastal Living, LLC, Western Surety Company and Coastal Sash & Door	Plt's (Preserve Holdings, LLC) PDR Under N.C.G.S. § 7A-31 (COA10-1158)	Denied
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
390P11	BerOTH Oil Company, Paula and Kenneth Smith, Barbara Clapp, Pamela Moore Crockett, W.R. Moore, N&G Properties, Inc., and Elton V. Koonce v. North Carolina Department of Transportation	Plts' PDR Prior to Decision of COA (COA11-1012)	Denied

395P11	Scott Sigmon v. Perry Johnston and Professional Vending Services, Inc.	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1276)	Denied
395P11-2	Scott Sigmon v. Perry Johnston and Professional Vending Services, Inc.	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-1276)	Denied
398P11	In the Matter of: J.C.	1. Respondent's PDR Under N.C.G.S. § 7A-31 (COA11-111) 2. Respondent's Motion to Withdraw PDR	1. - - - 2. Allowed
405P11	State v. Nicholas Jermaine Steele	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1405)	Denied
413P11	State v. Antonio Larod Bell	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA11-40)	Denied
427P11	State v. Freddie Robinson	1. Def's <i>Pro Se</i> Motion for the Appointment of Counsel (COA10-1560) 2. Def's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i>	1. Denied 2. Allowed
431P11	State v. Deante Octario Howard	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1273)	Denied

433P11	State v. Jeffrey Scott Speaks	1. Def's NOA Based Upon a Constitutional Question (COA11-86) 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Allowed
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443A11	Janet E. Moore v. Daniel H. Proper, Shaun O'Hearn, Dr. Shaun O'Hearn, DDS, P.A., and Affordable Care, Inc.	1. Defs' NOA Based Upon a Dissent (COA10-1475) 2. Defs' PDR as to Additional Issues	1. - - - 2. Allowed
445P11	State v. Freddie Towia Wood	1. Def's NOA Based Upon a Constitutional Question (COA10-372) 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Allowed
447A08-2	Andrea Gregory, Employee v. W.A. Brown & Sons, Employer, PMA Insurance Co., Carrier	1. Defs' Motion for Temporary Stay (COA10-1521) 2. Defs' Petition for <i>Writ of Supersedeas</i> 3. Defs' PDR Under N.C.G.S. § 7A-31	1. Allowed 07/12/11 ; Dissolved the Stay 11/16/11 2. Denied 3. Denied Jackson, J., Recused

448P11	Jermaine Parson v. Oasis Legal Finance, LLC, Jeff Baloun, and Gary Chodes	1. Plt's PDR Under N.C.G.S. § 7A-31 (COA10-1414) 2. Defs' Motion to Strike 3. Plt's Motion to Withdraw PDR	1. - - - 2. Dismissed as Moot 3. Allowed
451P11	State v. Martez L. Sherrod	Def's <i>Pro Se</i> Motion for NOA (COAP11-717)	Dismissed
458P11	State v. Anthony Townsend	Def's <i>Pro Se</i> PWC to Review the Order of Cumberland County Superior Court	Denied Jackson, J., Recused
461P11	State v. Aaron Jerome Wright	Def's PDR Under N.C.G.S. § 7A-31 (COA11-105)	Denied
462P11	In the Matter of: D.F.M., Jr. and D.F.M., III	1. Respondent-Parents' PDR Under N.C.G.S. § 7A-31 (COA11-380) 2. Respondent-Parents' Motion to Amend PDR	1. Denied 2. Allowed
465P11	State v. Alex Jerome Trogon	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1344)	Denied

466P11	State v. Heather R. Surratt	<p>1. State's Motion for Temporary Stay (COA11-239)</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. Def's Motion to Deem Response to State's PDR Timely Filed</p> <p>5. Def's Conditional PDR Under N.C.G.S. § 7A-31</p>	<p>1. Allowed 10/31/11; Dissolved the Stay 12/08/11 – See Special Order</p> <p>2. See Special Order</p> <p>3. See Special Order</p> <p>4. See Special Order</p> <p>5. See Special Order</p>
468P11	State v. Yuakin Dywan Tucker	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA11-154)	Denied
469P11	In the Matter of: C.S.R., Jr., N.J.R., N.F.R.	Respondent-Father's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA11-684)	Denied

472A11	State v. Timothy Alfred Sweat	<p>1. State's Motion for Temporary Stay (COA11-57)</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. Def's NOA Based Upon a Dissent</p>	<p>1. Allowed 11/07/11</p> <p>2. Allowed</p> <p>3. Allowed</p> <p>4. - - -</p>
473P11	George E. Butler II v. The Hammocks, LLC, a North Carolina Limited Liability Company; The Hammocks Association, Inc., a North Carolina Non-Profit Corporation; and Bald Head Island Limited, LLC, a Texas Limited Liability Company	Plt's <i>Pro Se</i> PWC to Review Order of COA (COA11-493)	<p>Denied</p> <p>Hudson, J., Recused</p>
474P11	State v. Charles Vincent Hayes	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA11-122)	Denied

476P11	Donald E. Sellers, Employee v. FMC Corporation, Employer; National Union Fire Insurance Company and Insurance Company of the State of Pennsylvania, Carriers	Def's Motion for Temporary Stay (COA11-12)	Allowed 11/07/11
481P11	State v. Jason Randall Sledge	Def's PDR Under N.C.G.S. § 7A-31 (COA10-1261)	Denied
482P11	State v. Christopher Michael Sims	Def's PDR Under N.C.G.S. § 7A-31 (COA11-187)	Denied
483P11	State v. Mark Wade Gentry	Def's <i>Pro Se</i> Motion for PDR (COAP11- 877)	Dismissed
484P11	State v. Coatney Randall Williams	Def's PDR Under N.C.G.S. § 7A-31 (COA11-319)	Denied
485P11	State v. Rashad Donte Jordan	1. Def's NOA Based Upon a Constitutional Question (COA10- 1432) 2. Def's PDR Under N.C.G.S. § 7A-31 3. State's Motion to Dismiss Appeal	1. - - - 2. Denied 3. Allowed

486P10-2	Phyllis Dianne Smith, on Behalf of Herself and All Others Similarly Situated v. Teachers' and State Employees' Retirement System, a Corporation; Board of Trustees of the Teachers' and State Employees' Retirement System, a Body Politic and Corporate; Department of State Treasurer, Retirement Systems Division; Janet Cowell, Treasurer of State of N.C. and Chairman of the Board of Trustees Teachers' and State Employees' Retirement System of N.C. (in Her Individual and Official Capacities); and The State of North Carolina	Plt's PDR Under N.C.G.S. § 7A-31 (COA10-1242)	Denied
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495P11	Kristie Lea Williams v. James Marion Chaney	<p>1. Plt's <i>Pro Se</i> Motion for Temporary Stay (COA11-164)</p> <p>2. Plt's <i>Pro Se</i> Petition for <i>Writ of Supersedeas</i></p> <p>3. Plt's <i>Pro Se</i> PWC to Review Decision of COA</p> <p>4. Plt's <i>Pro Se</i> Motion to Proceed <i>In Forma Pauperis</i></p>	<p>1. Allowed 11/16/11; Dissolved the Stay 11/18/11; Allowed by Special Order 11/18/11; Dissolved the Stay 12/08/11</p> <p>2. Denied</p> <p>3. Denied</p> <p>4. Allowed</p>
497P11	State v. Shelton Gladney	Def's <i>Pro Se</i> Motion for PDR (COAP11-801)	Dismissed
498P11	State v. David Toler	Def's <i>Pro Se</i> PDR Under N.C.G.S. § 7A-31 (COA11-5)	Denied
499P11	State v. Kareem S. Herrera	<p>1. Def's <i>Pro Se</i> PWC to Review Order of COA (COAP11-628)</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>

503P11	State v. Charles Bruce Phillips	Def's <i>Pro Se</i> Motion for PDR (COAP11- 87)	Dismissed
516P11	State v. Donte M. Hardy	1. Def's <i>Pro Se</i> PWC to Review Order of COA (COAP11-907) 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
522A11	Walter Sutton Baysden v. State of North Carolina	1. State's Motion for Temporary Stay 2. State's Petition for <i>Writ of</i> <i>Supersedeas</i>	1. Allowed 12/02/11 2. Allowed 12/02/11
523A11	State v. Megan Sue Otto	1. State's Motion for Temporary Stay 2. State's Petition for <i>Writ of</i> <i>Supersedeas</i>	1. Allowed 12/02/11 2. Allowed 12/02/11