

AUBIN v. SUSI

No. 156P02

Case below: 149 N.C. App. 320

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Conditional petition by defendant for discretionary review pursuant to G.S. 7A-31 dismissed as moot 19 December 2002.

BELVERD v. MILES

No. 556P02

Case below: 153 N.C. App. 169

Petition by plaintiffs for discretionary review pursuant to G.S. 7A-31 denied 2 December 2002.

BOYCE & ISLEY, PLLC v. COOPER

No. 598P02

Case below: 153 N.C. App. 25

Motion for temporary stay allowed 27 November 2002 pending determination of defendants' petitions for discretionary review.

BREWER v. CABARRUS PLASTICS, INC.

No. 560A01

Case below: 146 N.C. App. 82

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 and Appellate Rule 16(b) as to issues in addition to those presented as the basis for the dissenting opinion in the Court of Appeals denied 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 and Appellate Rule 16(b) as to issues in addition to those presented as the basis for the dissenting opinion in the Court of Appeals allowed 19 December 2002.

CAP CARE GRP., INC. v. McDONALD

No. 178P01-2

Case below: 149 N.C. App. 817

Petition by defendants for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

CAPITAL OUTDOOR, INC. v. GUILFORD CTY. BD. OF ADJUST.

No. 603A01-2

Case below: 152 N.C. App. 474

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

COLOMBO v. STEVENSON

No. 293PA02

Case below: 150 N.C. App. 163

Petition by defendants (George M. Stevenson, III and Susan Stevenson) for discretionary review pursuant to G.S. 7A-31 allowed 19 December 2002.

CUMMINS v. BCCI CONSTR. ENTERS.

No. 170P02

Case below: 149 N.C. App. 180

Petition by defendants for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

EDWARDS v. EDWARDS

No. 562P02

Case below: 152 N.C. App. 185

Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

FARBER v. N. C. PSYCHOLOGY BD.

No. 546A02

Case below: 153 N.C. App. 1

Petition by petitioner for discretionary review pursuant to G.S. 7A-31 and Appellate Rule 16(b) as to issues in addition to those presented as the basis for the dissenting opinion in the Court of Appeals denied 19 December 2002. Petition by petitioner for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

FENDER v. DEATON

No. 553P02

Case below: 153 N.C. App. 187

Petition by plaintiffs for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Justice Parker recused.

HILL v. HILL

No. 688P01

Case below: 147 N.C. App. 313
356 N.C. 301

Motion by plaintiff for reconsideration of the dismissal of plaintiff's appeal denied 19 December 2002. Justice Martin recused.

IN RE BEER

No. 169P02

Case below: 149 N.C. App. 232

Petition by respondents (Gloria Lavada Beer and Fred William Beer for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

IN RE HAYES

No. 380P02

Case below: 151 N.C. App. 27

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by respondent (Hayes) for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

IN RE HODGE

No. 555P02

Case below: 153 N.C. App. 102

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by respondent (Hodge) for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

IN RE MITCHELL

No. 127A02

Case below: 148 N.C. App. 483

Petition by petitioner (Guardian ad Litem) for writ of super-seedeas dismissed as moot 5 December 2002.

IN RE RHYNE

No. 639P02

Case below: 154 N.C. App. 477

Motion by plaintiff for temporary stay allowed 20 December 2002.

IN RE RIDDICK

No. 87P02

Case below: 147 N.C. App. 785

Petition by respondent (James Leron Riddick) for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

KELLY v. WEYERHAEUSER CO.

No. 384P02

Case below: 150 N.C. App. 713

Motion by defendants to dismiss petition for discretionary review dismissed as moot 19 December 2002.

LAMBERTH v. McDANIEL

No. 133P02

Case below: 148 N.C. App. 406

Petition by plaintiffs for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

LIPE v. STARR DAVIS CO.

No. 152P01

Case below: 142 N.C. App. 213
354 N.C. 363

Petition by defendants for rehearing under Rules 2 and 31 of the Rules of Appellate Procedure of defendants' petition for discretionary review dismissed 19 December 2002. Petition by defendants for writ of certiorari to review the decision of the North Carolina Court of Appeals dismissed 19 December 2002. Justice Edmunds recused.

MARSHALL v. WILLIAMS

No. 552P02

Case below: 153 N.C. App. 128

Motion by defendants to dismiss appeal by plaintiffs for lack of substantial constitutional question allowed 19 December 2002. Petition by plaintiffs for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

OWENBY v. YOUNG

No. 286PA02

Case below: 150 N.C. App. 412

Motion by plaintiff to dismiss defendant's appeal denied 19 December 2002.

PRICE v. BECK

No. 624P02

Case below: 153 N.C. App. 763

Petition by plaintiffs pro se (James E. Price, Sr., Olander Bynum and Kerry McPherson) for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

RUFFIN v. COMPASS GRP. USA

No. 348A02

Case below: 150 N.C. App. 480

Conditional motion by defendant to dismiss appeal allowed 3 December 2002.

SHARPE v. WORLAND

No. 21P02

Case below: 147 N.C. App. 782

Petition by defendant (Wesley Long Community Hospital, Inc.) for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Petition by defendant (Wesley Long Community Hospital, Inc.) for writ of supersedeas dismissed as moot and temporary stay dissolved 19 December 2002.

SIMPSON v. McCONNELL

No. 396PA02

Case below: 150 N.C. App. 713

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 allowed 19 December 2002 for limited purpose of remand to Court of Appeals for reconsideration in light of *Shaw v. Mintz*. Petition by defendant (Nationwide Mutual Insurance Company) for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. AGER

No. 528A02

Case below: 152 N.C. App. 577

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition defendant for discretionary review pursuant to G.S. 7A-31 and Appellate Rule 16(b) as to issues in addition to those presented as the basis for the dissenting opinion in the Court of Appeals denied 19 December 2002.

STATE v. ALLAH

No. 590P02

Case below: 153 N.C. App. 524

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. BECTON

No. 623P02

Case below: 154 N.C. App. 520

Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

STATE v. BUCKNER

No. 444A93-3 and 4

Case below: Gaston County Superior Court

Petition by defendant pro se for rehearing on defendant's writ of certiorari for discretionary review of trial court's decision on defendant's motion for appropriate relief dismissed 19 December 2002. Petition by defendant pro se for writ of certiorari to review the order of the Superior Court, Gaston County, (Filed as Appeal of State Application for Writ of Habeas Corpus Pursuant to Chapter 17) dismissed 19 December 2002.

STATE v. BULLOCK

No. 445P02-2

Case below: 154 N.C. App. 234

Motion by Attorney General for temporary stay allowed 18 December 2002.

STATE v. CALLOWAY

No. 576P02

Case below: 153 N.C. App. 524

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. CARTER

No. 319A93-3 and 4

Case below: Durham County Superior Court
Richmond County Superior Court

Motion by Attorney General to vacate the stay of execution allowed 6 December 2002. Petition by Attorney General for writ of certiorari to review the order of the Superior Court, Durham County denied 6 December 2002. Petition by Attorney General for writ of prohibition allowed 6 December 2002. Petition by defendant for writ of supersedeas denied 9 December 2002. Petition by defendant for writ of certiorari to review the order of the Superior Court, Rockingham County, denied 9 December 2002. Motion by defendant for stay of execution denied 9 December 2002.

STATE v. CHAPPELL

No. 9P01-3

Case below: 124 N.C. App. 671

Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002. Justice Martin recused.

STATE v. CHESSON

No. 268P02

Case below: 150 N.C. App. 439

Notice of appeal by defendant pursuant to G.S. 7A-30 (substantial constitutional question) dismissed ex mero motu 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. CRUZ

No. 582P02

Case below: 153 N.C. App. 524

Notice of appeal by defendant pro se pursuant to G.S. 7A-30 (substantial constitutional question) dismissed ex mero motu 19 December 2002. Petition by defendant pro se for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. CUMMINGS

No. 4A95-4

Case below: Brunswick County Superior Court

Motion by defendant to stay decision on petition for writ of certiorari denied 19 December 2002. Petition by defendant for writ of certiorari to review the order of the Superior Court, Brunswick County denied 19 December 2002.

STATE v. DAVENPORT

No. 276A02

Case below: 150 N.C. App. 439

Notice of appeal by defendant pursuant to G.S. 7A-30 (substantial constitutional question) dismissed ex mero motu 19 December 2002.

STATE v. DEXTER

No. 390A02

Case below: 151 N.C. App. 430

Petition by Attorney General for writ of supersedeas dismissed as moot and temporary stay dissolved 19 December 2002.

STATE v. DUNN

No. 606P02

Case below: 154 N.C. App. 1

Motion by Attorney General for temporary stay allowed 9 December 2002.

STATE v. FISHER

No. 574P02

Case below: 149 N.C. App. 973

Petition by defendant for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

STATE v. FORBES

No. 596P02

Case below: 153 N.C. App. 524

Petition by defendant for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

STATE v. GARNER

No. 64P02

Case below: 148 N.C. App. 216

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. GOMEZ

No. 626P02

Case below: 153 N.C. App. 324

Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals dismissed ex mero motu 19 December 2002. Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

STATE v. HARDY

No. 121P02

Case below: 149 N.C. App. 233

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. HOBSON

No. 335P02

Case below: 150 N.C. App. 715

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. JOHNSON

No. 570P02

Case below: 148 N.C. App. 405

Petition by defendant pro se for writ of certiorari to review the decision of the North Carolina Court of Appeals denied 19 December 2002.

STATE v. MAHAN

No. 342P02

Case below: 150 N.C. App. 717

Petition by Attorney General for writ of supersedeas dismissed 19 December 2002. Petition by Attorney General for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. McCRAE

No. 447P02

Case below: 151 N.C. App. 601
356 N.C. 310

Motion by defendant pro se for reconsideration of the dismissal of his appeal and the denial of his petition for discretionary review dismissed 19 December 2002.

STATE v. PETERSON

No. 328A97-2 and 3

Case below: Richmond County Superior Court

Petition by defendant for writ of certiorari to review the order of the Superior Court, Richmond County, denied 19 December 2002. Motion by Attorney General to lift order granting defendant's motion to hold petition for writ of certiorari in abeyance dismissed as moot 19 December 2002. Petition by defendant for writ of certiorari to review the order of the Superior Court, Richmond County, denied 19 December 2002.

STATE v. POWELL

No. 190A93-4

Case below: Cleveland County Superior Court

Petition by defendant for writ of certiorari to review the order of the Superior Court, Cleveland County, denied 19 December 2002.

STATE v. RAINEY

No. 637P02

Case below: 154 N.C. App. 282

Motion by Attorney General for temporary stay denied 19 December 2002. Petition by Attorney General for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Petition by Attorney General for writ of supersedeas denied 19 December 2002.

STATE v. REED

No. 587P02

Case below: 153 N.C. App. 462

Petition by defendant pro se for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Motion by defendant pro se to dismiss charges dismissed 19 December 2002.

STATE v. REID

No. 391P02

Case below: 151 N.C. App. 379

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. ROBINSON

No. 602P02

Case below: 153 N.C. App. 813

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. SEXTON

No. 595PA02

Case below: 153 N.C. App. 641

Petition by defendant for discretionary review pursuant to G.S. 7A-31 allowed 19 December 2002.

STATE v. SMITH

No. 534P02

Case below: 152 N.C. App. 514

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. SMITH

No. 565P02

Case below: 153 N.C. App. 325

Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. SMITH

No. 593P02

Case below: 153 N.C. App. 813

Petition by Attorney General for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002. Petition by Attorney General for writ of supersedeas dismissed as moot and temporary stay dissolved 19 December 2002.

STATE v. STROUD

No. 46P02

Case below: 147 N.C. App. 549

Petition by defendant (Bonnie Stroud) for writ of certiorari to review the decision of North Carolina Court of Appeals denied 19 December 2002.

STATE v. THOMAS

No. 568P02

Case below: 153 N.C. App. 326

Motion by the Attorney General to dismiss the appeal for lack of substantial constitutional question allowed 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

STATE v. WILSON

No. 605A02

Case below: 154 N.C. App. 127

Motion by Attorney General for temporary stay allowed 6 December 2002.

STATE v. WOOLRIDGE

No. 41PA02

Case below: 147 N.C. App. 685

Motion by Attorney General to deny petition for discretionary review denied 19 December 2002. Petition by defendant for discretionary review pursuant to G.S. 7A-31 allowed 19 December 2002.

VANHOY v. DUNCAN CONTRS., INC.

No. 564P02

Case below: 153 N.C. App. 320

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

WILLEY v. WILLIAMSON PRODUCE

No. 159A02

Case below: 149 N.C. App. 74

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 denied 19 December 2002.

WILLIAMS v. INTERNATIONAL PAPER CO.

No. 523P02

Case below: 152 N.C. App. 720

Petition by plaintiff for discretionary review pursuant to G.S. 7A-31 denied 25 November 2002.