

SUPREME COURT OF NORTH CAROLINA

PETITIONS

30 December 1998

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COMMON ABBREVIATIONS

Abbreviation	Full Term
NOA	Notice of Appeal
Def	Defendant
Plt	Plaintiff
PDR	Petition for Discretionary Review
Cert	Certiorari
AG	Attorney General

318P98	Powers v. Powers and In the Matters of: Powers, et al.	Resp's (Angela Powers) PDR Under G.S. 7A-31	Denied
330P98	State v. Sanders	Def's PDR Under G.S. 7A-31	Denied
343P98	Pack v. Randolph Oil Co., Janie L. Thornburg, et al.	Plt's Petition for Rehearing	Dismissed
355P98	In the Matter of: The Wilkinson Children	Resp's (Lisa Penny Wilkerson) PDR Under G.S. 7A-31	Denied
360P98	Washington Housing Authority v. NC Housing Authorities Risk Retention Pool	Def's PDR Under G.S. 7A-31	Denied
361P98	Murphrey, III, et al. v. Stallings Oil Co. (formerly Stallings Transport Corp.), et al.	Defs' PDR Under G.S. 7A-31	Denied
362P98	State v. Marecek	AG's PDR Under G.S. 7A-31	Denied

372A98	Patsy Payne Daetwyler v. David Alan Daetwyler	(1) Def's NOA (Dissent) (2) Plt's PDR Under G.S. 7A-31 (3) Def's PDR Under G.S. 7A-31 as to an Additional Issue	(1) (2) Denied (3) Denied
375P98	Dean v. Piedmont Natural Gas Co.	Plt's Pet. for Writ of Cert. to Review Order of NC COA	Denied
389P98	State v. Breeze	Def's PDR Under G.S. 7A-31	Denied
392A98	State v. McClendon	(1) Def's NOA (Dissent) (2) Def's PDR as to Additional Issues Justice WYNN recused.	(1) (2) Allowed
393P98	State v. John Frank Bowen	(1) Def's Pro Se NOA Based Upon a Constitutional Question (2) Def's Pro Se Conditional PDR Under G.S. 7A-31 (3) Def's Pro Se Motion for a New Trial on Newly Discovered Evidence (4) Def's Pro Se Petition for Writ of Certiorari	(1) Dismissed <i>ex mero motu.</i> (2) Denied (3) Denied (4) Denied (5) Dismissed (6) Denied

		<p>(5) Def's Pro Se Notice to Restrain State from Denying Access to Law Library, Copy Machine, and Typewriter</p> <p>(6) Def's Pro Se Motion for a New Trial on Newly Discovered Evidence of Recent Federal Decisions</p>	
395P98	Raintree Homeowners Association, Inc. v. Raintree Country Club, Inc. and Bellsouth Carolinas PCS, L.P.	<p>(1) Defs' (Raintree Country Club, Inc.) Motion for Temp. Stay</p> <p>(2) Defs' (Raintree Country Club, Inc.) Petition for Writ of Supersedeas</p> <p>(3) Plt's (Raintree Homeowners Assoc.) Conditional PDR as to Additional Issues</p> <p>(4) Plts' Motion to Strike Def-Appellants' Reply</p> <p>(5) Defs' PDR Under G.S. 7A-31</p> <p>(6) Plt's (Raintree Homeowners Assoc.) Motion to Dismiss Petition</p>	<p>(1) Denied 9/10/98</p> <p>(2) Denied</p> <p>(3) Dismissed as moot.</p> <p>(4) Denied</p> <p>(5) Denied</p> <p>(6) Denied</p>

400P98	Delanson F. Wilcox, III, Executor of the Estate of Sybil Wilcox Eubanks v. Pete Zoeller and Norfolk Southern Railway Co.	Defs' PDR Under G.S. 7A-31	Denied
401P98	Lee Koontz and Kelly Hedrick v. Davidson County Board of Adjustment	(1) Resp's Motion for Temporary Stay (2) Resp's Petition for Writ of Supersedeas (3) Resp's PDR Under G.S. 7A-31	(1) Allowed 9/17/98 (2) Denied. Temporary Stay dissolved. (3) Denied
421P98	Brinkley v. Pell Paper Box Co., Inc. and Travelers Insurance Company	Plt-Appellant's PDR Under G.S. 7A-31 Justice WYNN recused.	Denied
424P98	Wilkerson v. Carriage Park Development Corp.	Plt-Appellant's PDR	Denied
431P98	Schimmeck v. The City of Winston-Salem	Plt's PDR Under G.S. 7A-31 Justice WYNN recused.	Denied
443P98	Martin Marietta Technologies, Inc. v. Brunswick County, NC	(1) Plts' PDR Under G.S. 7A-31 (2) Def's PDR Under G.S. 7A-31 (3) Plts' Conditional PDR as to Additional Issues	(1) Denied (2) Denied (3) Dismissed as moot.
444P98	State v. Guy	Def's Pet. for Writ of Cert. to Review Order of NC COA	Denied

445P98	State v. Batten	<p>(1) Def's NOA Based Upon a Constitutional Question</p> <p>(2) Def's PDR Under G.S. 7A-31</p> <p>(3) AG's Motion to Dismiss Appeal for Lack of a Substantial Constitutional Question</p> <p>Justice WYNN recused.</p>	<p>(1)</p> <p>(2) Denied</p> <p>(3) Allowed</p>
453PA98	Union Carbide Corp. v. Offerman	<p>(1) Def's PDR Under G.S. 7A-31</p> <p>(2) Plt's Conditional PDR as to Additional Issues</p>	<p>(1) Allowed for the purpose of remanding to the COA for reconsideration in light of <i>Polaroid Corp. v. Murial Offerman</i> (No. 70PA98, filed 4 December 1998).</p> <p>(2) Denied</p>
461P98	State v. Goyens	<p>(1) Def's Petition for Writ of Habeas Corpus</p> <p>(2) Def's Petition for Writ of Habeas Corpus</p> <p>(3) Def's Petition for Writ of Habeas Corpus</p>	<p>(1) Denied</p> <p>(2) Denied</p> <p>(3) Denied</p>
466P98	State v. Blackmon	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied

		Justice WYNN recused.	
470P98	Timmons, Jr. v. NC DOT	Plt's PDR	Allowed for the purpose of remanding to the COA for reconsideration in light of <i>Adams v. AVX Corp.</i> (No. 151PA98, filed 31 December 1998).
476P98	Johnson v. Lederman	(1) Plt's Pro Se Pet. for Writ of Cert. to Review Order of NC COA (2) Plt's Pro Se Motion to Proceed In Forma Pauperis (3) Def's Motion for Sanctions	(1) Denied (2) Allowed (3) Denied
478P98	State v. Pierce	Def's Petition for Writ of Certiorari	Denied
480P98	State v. Harding	Def's Pro Se Petition for Writ of Cert. to Review Order of NC COA	Denied
483P98	City of Monroe v. W.F. Harris Development, LLC	Def's PDR Justice WYNN recused.	Denied
484P98	Carter v. Moore Regional Hospital, Inc., et al.	Def's (Moore Regional Hospital, Inc.) PDR Under G.S. 7A-31	Denied
485PA98	Johnson and Smith v. First Union Corp. and/or First Union Mortgage Corp., et al.	(1) Plts' PDR (2) Defs' (Cigna Property and Casualty Ins. Co,	(1) Allowed (2) Allowed

		ESIS, Inc., and Robin Deffenbaugh) Condition PDR	
486P98	State of NC ex rel. Utilities Commission; and Charles S. Miller, d/b/a Affordable Movers v. Charlotte Van & Storage Co. and Sells Service, Inc.	Protestant Intervenors' PDR Under G.S. 7A-31	Denied
489P98	Tise v. Yates Construction Company, Inc.	Def's PDR Justice WYNN recused.	Denied
490P98	Dodder v. Yates Construction Company	Def's PDR Under G.S. 7A-31 Justice WYNN recused.	Denied
492P98	State v. Martin	Def's PDR	Denied
496P98	Stephenson v. Pitt Co. Memorial Hospital, Self-Insurer	Def's PDR Under G.S. 7A-31	Denied
504P98	In re: Goyens DOB 7/14/96, A Minor Child	Resp's (Deborah Goyens) Motion to Stay Money Judgment	Denied
516P98	Benny Sims v. Charmes/Arby's Roast Beef, Employer NC Self Insurers Fund	(1) Defs' Motion for Temporary Stay (2) Defs' Petition for Writ of Supersedeas (3) Defs' Pet. for Writ of Cert. to Review Order of NC COA	(1) Denied 12/10/98 (2) Denied 12/10/98 (3) Denied 12/10/98

517P98*	In the Matter of Direct Contempt: Reginald L. Frazier of the Court of William Griffen	(1) Pet's (Frazier) Pro Se Petition for Writ of Habeas Corpus (2) Pet's Motion to Quash (Pro Se) (3) Pet's Motion to Dismiss (Pro Se) (4) Pet's Motion for Appropriate Relief	(1) Denied 12/9/98 (2) Denied 12/9/98 (3) Denied 12/9/98 (4) Denied 12/9/98
535PA98	Victor A. Zodda v. Manmohan Singh and George Tzuridis	(1) Defendant Singh's Petition for Writ of Supersedeas (2) Def Singh's Motion for Temporary Stay	(1) Denied (2) Denied
537P98	John Edward Kuplen v. Chief Judge Gerald Arnold, et al.	Plt's Pro Se Petition for Writ of Mandamus Justice WYNN recused.	Denied
70A86-5	State v. Allen	Def's Petition for Rehearing	Dismissed
91A95-2	State v. Thomas	Def's Pet. for Writ of Cert. to Review Orders of the Trial Court in Capital Motion for Appropriate Relief Proceedings	See separate order.
190A93-2	State v. Powell	Def's Motion for Extension of Time to File Petition for Writ of Certiorari	See separate order.

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