



## North Carolina Court of Appeals

DANIEL M. HORNE JR., Clerk  
Court of Appeals Building  
One West Morgan Street  
Raleigh, NC 27601  
(919) 831-3600

Fax: (919) 831-3615  
Web: <https://www.nccourts.gov>

Mailing Address:  
P. O. Box 2779  
Raleigh, NC 27602

No. P20-331

**DERRICK M. ALLEN SR.  
PLAINTIFF**

**V.**

**DURHAM CO. DISTRICT ATTORNEY OFFICE/STATE OF NORTH CAROLINA ET. AL.  
DEFENDANT**

From Durham  
( 98CRS5208, 98CRS7979-80 )

### ORDER

The following order was entered:

The petition filed in this cause by petitioner Derrick M. Allen Sr. on 16 June 2020 and designated 'Petition for Writ of Certiorari' is denied.

By order of the Court this the 23rd of July 2020.

The above order is therefore certified to the Clerk of the Superior Court, Durham County.

WITNESS my hand and the seal of the North Carolina Court of Appeals, this the 23rd day of July 2020.

Daniel M. Horne Jr.  
Clerk, North Carolina Court of Appeals

Copy to:  
Derrick M. Allen, For Allen, Derrick M. Sr.  
Attorney General  
Hon. Orlando F. Hudson, Jr., Senior Res. Superior Court Judge  
Hon. Archie L. Smith, III, Clerk of Superior Court



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**V.**

**DURHAM CO. DISTRICT ATTORNEY OFFICE/STATE OF NORTH CAROLINA ET. AL.**  
**DEFENDANT**

From Durham  
( 98CRS5208, 98CRS7979-80 )

### ORDER

The following order was entered:

The petition filed in this cause by petitioner Derrick M. Allen Sr. on 29 July 2020 and designated 'Petition for Rehearing' is denied.

By order of the Court this the 31st of July 2020.

The above order is therefore certified to the Clerk of the Superior Court, Durham County.

WITNESS my hand and the seal of the North Carolina Court of Appeals, this the 31st day of July 2020.

Daniel M. Horne Jr.  
Clerk, North Carolina Court of Appeals

Copy to:  
Derrick M. Allen, For Allen, Derrick M. Sr.  
Attorney General  
Hon. Orlando F. Hudson, Jr., Senior Res. Superior Court Judge  
Hon. Archie L. Smith, III, Clerk of Superior Court

# Supreme Court of North Carolina

**DERRICK M. ALLEN, SR.**

**v**

**DURHAM CO. DISTRICT ATTORNEY OFFICE, STATE OF NORTH CAROLINA, ET AL.**

From N.C. Court of Appeals  
( 11-744 P20-331 )  
From Durham  
( 98CRS5208 98CRS7979-80 )

## **ORDER**

The following order has been entered on the motion filed on the 3rd of August 2020 by Petitioner for Notice of Appeal:

"Motion Dismissed ex mero motu by order of the Court in conference, this the 15th of December 2020."

Ervin, J., Recused

**s/ Davis, J.  
For the Court**

Upon consideration of the petition filed by Petitioner on the 3rd of August 2020 in this matter for a writ of certiorari to review the order of the North Carolina Court of Appeals, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

"Dismissed by order of the Court in conference, this the 15th of December 2020."

Ervin, J., Recused

**s/ Davis, J.  
For the Court**

Upon consideration of the petition filed by Petitioner on the 3rd of August 2020 in this matter for a writ of certiorari to review the order of the Superior Court, Durham County, the following order was entered and is hereby certified to the Superior Court of that County:

"Dismissed by order of the Court in conference, this the 15th of December 2020."

Ervin, J., Recused

**s/ Davis, J.  
For the Court**

The following order has been entered on the motion filed on the 3rd of August 2020 by Petitioner to Proceed In Forma Pauperis:

"Motion Allowed by order of the Court in conference, this the 15th of December 2020."

Ervin, J., Recused

**s/ Davis, J.  
For the Court**

The following order has been entered on the motion filed on the 3rd of August 2020 by Petitioner for Appointment of Counsel on Appeal:

"Motion Dismissed as moot by order of the Court in conference, this the 15th of December 2020."

Ervin, J., Recused

**s/ Davis, J.  
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 22nd day of December 2020.



Amy L. Funderburk  
Clerk, Supreme Court of North Carolina

*M. C. Hackney*  
M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Mr. Daniel P. O'Brien, Special Deputy Attorney General, For State of North Carolina - (By Email)

Mr. Derrick M. Allen, Sr., For Allen, Derrick M. Sr. - (By Email)

Mr. Roger A. Echols, District Attorney

Hon. Archie L. Smith, III, Clerk

West Publishing - (By Email)

Lexis-Nexis - (By Email)