

NORTH CAROLINA
ROBESON COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 93 CRS 15291-93

FILED

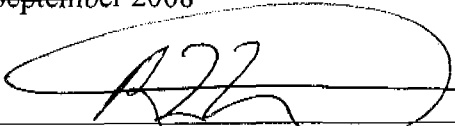
STATE OF NORTH CAROLINA	FILED	OCT -2	A 11: 20
		}	ORDER OF SUMMARY DISMISSAL
VS.	ROBESON COUNTY	}	ON MOTION FOR APPROPRIATE
DANIEL ANDRE GREEN		}	RELIEF
DEFENDANT	BY	}	_____
_____		}	

This matter was heard upon a motion for appropriate relief filed on August 25, 2008, by defendant/petitioner, who is now confined in Department of Correction. The court, having considered the allegations contained in the motion and the case file, finds as a fact that the motion sets forth no probable grounds for the relief requested, either in law or in fact, as to all issues raised in defendant's motion for appropriate relief, except as to defendant's claim of ineffective assistance of trial counsel and the states failure to disclose the tape recordings of telephone conversations of Melinda Moore and Deloris Sullivan

The court concludes that there are no probable grounds for relief, and IT IS THEREFORE ORDERED that:

1. The motion is denied to all claims except as to ineffective assistance of trial counsel and the States failure to disclose the tape recordings of telephone conversations of Melinda Moore and Deloris Sullivan.
2. The defendant/petitioner's failure to assert any other grounds in his motion shall be subject to being treated in the future as BAR to any other claims, assertions, petitions, or motions that he might hereafter file in this case, pursuant to G.S. 15A-1419;
3. The Clerk shall forward a copy of this order to the defendant/petitioner and the District Attorney, 16B Judicial District.
4. Carl Ivarsson is appointed to assist the defendant in his Motion for Appropriate Relief.

ENTERED on this the 2nd day of October ~~September~~ 2008



 THE HONORABLE ROBERT F. FLOYD, JR.
 Senior Resident Superior Court Judge