

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
Raleigh, North Carolina 27601

This calendar is available at: <http://appellate.nccourts.org/calendar.php?court=2>

## COURT CALENDAR BY PANEL

Tuesday, 9 September 2008

### PANEL NO. 2

HON. LINDA M. MCGEE  
HON. DOUGLAS MCCULLOUGH  
HON. DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 9TH OF SEPTEMBER 2008 AT 9:30 a.m.**

Benton v Hanford	08-44	Nash
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF SEPTEMBER 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Crockett	07-1283	Mecklenburg
State v Silva	07-1345	Wake
State v Johnson	08-55	Forsyth
State v Wolfe	08-99	Buncombe
State v Coleman	08-136	Rowan
State v Ballard	08-196	Henderson
Culberson v Reo Properties Corp.	07-1546	Mecklenburg
Town Of North Topsail Beach v Forester	08-39	Onslow
Treat v Mecklenburg County	08-56	N.C. Industrial Commission
Dixon v Hill	08-124	Robeson
In The Matter Of: A.C.	08-222	Martin

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## COURT CALENDAR BY PANEL

Wednesday, 10 September 2008

### PANEL NO. 3

HON. JOHN M. TYSON  
HON. ANN MARIE CALABRIA  
HON. RICK ELMORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008 AT 9:30 a.m.**

Cambridge Homes v Hyundai Const., et al	08-242	Mecklenburg
Edmunds v Edmunds	08-246	Columbus

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Shaffer	08-214	Johnston
State v Alston	08-230	Guilford
State v Schreiber	08-250	Guilford
State v Tanner	08-251	Wake
State v Tessnear	08-256	Rutherford
State v Kidd	08-273	Wake
Mann v Technibilt, Inc.	08-241	N.C. Industrial Commission
Littlejohn v Guilford Co. Bd. of Educ.	08-254	Guilford
New Hanover Co. Water v Thompson	08-258	New Hanover
Byrd Family v Cameron L. Smith & Son	08-263	Columbus

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## COURT CALENDAR BY PANEL

Wednesday, 10 September 2008

### PANEL NO. 4

HON. WANDA G. BRYANT  
HON. BARBARA JACKSON  
HON. JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008 AT 1:00 p.m.**

City of Wilson Redevelopment v Boykin	08-268	Wilson
Farrell v Transylvania Co. Bd. of Educ.	08-310	Transylvania

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Carlisle v CSX Transportation, Inc.	08-43	Scotland
State v Ford	08-277	Richmond
State v Tejada-Rivera	08-283	Wake
State v Evans	08-293	Columbus
State v Simpson	08-296	Mecklenburg
State v Stone	08-298	Moore
State v Jones	08-338	Wake
DOT v Blevins	08-266	Haywood
Watts v E.I. DuPont De Nemours	08-267	N.C. Industrial Commission
Town of Matthews v Wright	08-270	Mecklenburg
N.C. Department of Labor v Sutton	08-311	Wake

Sent Date: 7 August 2008

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## COURT CALENDAR BY PANEL

Thursday, 11 September 2008

### PANEL NO. 5

HON. SANFORD STEELMAN  
HON. MARTHA GEER  
HON. LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF SEPTEMBER 2008**  
**AT 9:30 a.m.**

Jailall v NC Dept. of Public	08-352	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Gary	08-309	New Hanover
State v Williams	08-314	Henderson
State v Lawrence	08-320	Camden
State v Dean	08-344	Durham
State v Revels	08-346	Robeson
State v Murphy	08-382	Pitt
In the Matter of: Eagle's Nest	08-316	Property Tax Commission
Collins v Alex Lee, Inc.	08-335	N.C. Industrial Commission
Kuttner v Kuttner	08-342	Mecklenburg
Kemp v Knight	08-351	Cumberland
Stacy, ex rel v Merrill, et al	08-437	Alamance

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## COURT CALENDAR BY PANEL

Monday, 22 September 2008

### PANEL NO. 1

HON. JOHN C. MARTIN  
HON. LINDA M. MCGEE  
HON. LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 22ND OF SEPTEMBER 2008 AT 1:00 p.m.**

In Re: Papathanassiou	08-95	Mecklenburg
Sunset Beach Development v Amec Inc.	08-324	Brunswick

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Harris	08-200	Wake
State v Washington	08-217	Onslow
State v Neely	08-325	Forsyth
Turner v Custom Retail Services, Inc.	08-300	N.C. Industrial Commission
Swilling v Holland Transfer Co., Inc.	08-301	N.C. Industrial Commission
Curran v N.C. Dept. of Crime Control	08-305	N.C. Industrial Commission
Putman v Alexander	08-306	N.C. Industrial Commission
Pugh v Williams	08-322	Randolph
Thompson v Alexander	08-332	N.C. Industrial Commission
In The Matter Of: Booker	08-565	Wayne

Sent Date: 22 August 2008

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## COURT CALENDAR BY PANEL

Tuesday, 23 September 2008

### PANEL NO. 2

HON. JAMES A. WYNN, JR.  
HON. WANDA G. BRYANT  
HON. JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**  
**AT 9:30 a.m.**

Strickland v Hedrick	08-339	Forsyth
Evergreen Constr. v City of Kinston	08-390	Lenoir

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Goldston	08-340	Durham
State v Moore	08-345	Edgecombe
State v Fernandez	08-363	Mecklenburg
Coston v Smithfield Packing, Inc.	08-355	N.C. Industrial Commission
In The Matter Of: Swain	08-365	Mecklenburg
Jones v Modern Chevrolet	08-371	N.C. Industrial Commission
Elkins v Electronic Mortgage Systems	08-376	Forsyth
In The Matter Of: J.T.W.	08-383	Mecklenburg
Nuttall v Hornwood, Inc.	08-395	N.C. Industrial Commission
Stewart v Estate of Brewington	08-401	Harnett

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## COURT CALENDAR BY PANEL

Tuesday, 23 September 2008

### PANEL NO. 4

HON. ROBERT C. HUNTER  
HON. RICK ELMORE  
HON. MARTHA GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**  
**AT 3:00 p.m.**

State v Phair	08-326	Lee
Perry v GRP Financial Services	08-80	Forsyth

**NOTE:** Oral argument will be held at the following location:

### WAKE FOREST UNIVERSITY SCHOOL OF LAW

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Corry	08-11	Gaston
State v Lilly	08-421	Guilford
Huebner v Triangle Research	08-70	Durham
US Trust Co. v Stanford Group Co.	08-179	Mecklenburg
Baccus v N.C. Dept. Of Crime Control	08-204	N.C. Industrial Commission
Kranz v Hendrick Automotive Group	08-253	Mecklenburg
Smith v Beck	08-403	Scotland
Thomas v Herring	08-405	Guilford
Welliver McGuire v Members Interior	08-408	Mecklenburg
Town of Pinebluff v Marts	08-434	Moore

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## COURT CALENDAR BY PANEL

Wednesday, 24 September 2008

### PANEL NO. 3

HON. SANFORD STEELMAN  
HON. BARBARA JACKSON  
HON. DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 2008 AT 9:30 a.m.**

City of Charlotte v BMJ of Charlotte	08-147	Mecklenburg
Reese v Charlotte-Mecklenburg Board	08-397	Mecklenburg
Reese v City of Charlotte	08-398	Mecklenburg

**NOTE:** Oral argument will be held at the following location:

### UNION COUNTY OFFICE BUILDING

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Grimes	08-425	Pitt
State v Hudgins	08-441	Guilford
State v Ingram	08-447	Nash
Powers v Tatum	08-137	Wake
Brinegar v The City of Winston-Salem	08-157	Forsyth
Dalenko v Peden General Contractors	08-170	Wake
Hodgin v Brighton	08-347	Mecklenburg
In The Matter Of: D.R.H.	08-349	Cleveland
National Railroad v City of Hamlet	08-356	Richmond

Sent Date: 22 August 2008



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## COURT CALENDAR BY PANEL

Thursday, 25 September 2008

### PANEL NO. 5

HON. DOUGLAS MCCULLOUGH  
HON. JOHN M. TYSON  
HON. ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 2008**  
**AT 9:30 a.m.**

State v Bowden	08-372	Cumberland
Egelhof v Szulik, et al	08-452	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Smith	08-406	Pasquotank
State v Davis	08-414	Burke
Floyd v Executive Personnel Group	08-439	N.C. Industrial Commission
Fisher v Anderson	08-468	Mecklenburg
Strickland v Martin Marietta Materials	08-476	N.C. Industrial Commission
Signalife, Inc. v Rubbermaid, Inc.	08-496	Mecklenburg
DeBerry v Kellogg Sales Company	08-498	Guilford
Stanfield v Metal Beverage, et al	08-513	N.C. Industrial Commission
Castaneda v International Leg Wear	08-526	N.C. Industrial Commission
Hinceman v Food Lion, et al	08-538	N.C. Industrial Commission