North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 2 February 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **2 FEBRUARY 2009** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Orr	08-653	Mecklenburg
State v Clark	08-752	Cumberland
State v Chitwood	08-759	Gaston
Dunstone Financial, L.L.C. v Simmons	08-748	Mecklenburg
Discover Bank v Altman	08-749	Mecklenburg
LVNV Funding, LLC v Aikens	08-750	Mecklenburg
Discover Bank v Sims	08-751	Mecklenburg
State v Spencer	08-817	Cleveland
State v Rankins	08-841	Guilford
In Re: D.N.	08-1013	Pitt
In Re: K.P.W., M.A.W.	08-1028	Rutherford
In Re: B.R.M. and R.W.M., Jr.	08-1103	Harnett
In The Matter Of: B.A.N.T.	08-1167	Durham
In The Matter Of: N.N. and A.N.	08-1229	Onslow
In Re: A.M.	08-1236	Harnett

Sent Date: 6 January 2009

North Carolina Court of Appeals

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

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

All oral arguments on this calendar will be heard via Webex, subject to change based on courtroom safety. Cases will be called on the days calendared in the order listed. The Court, however, may reorder the schedule in the event it grants a request for an oral argument to occur by Webex.

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COURT CALENDAR BY PANEL

Tuesday, 10 February 2009

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE ROBERT C. HUNTER
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 2009 AT 9:30 a.m.**

In The Matter Of: NC IDEA	08-561	Wake
Brown, et al v Meter, et al	08-944	Onslow
Turner v City of Greenville	08-630	Pitt

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Wolfe	08-38	Alamance
State v Miller	08-650	New Hanover
State v Boggess	08-746	Durham
In the Matter of: K.H.	08-528	Durham
Franco v Liposcience, Inc.	08-785	Wake
Adams v Winston-Salem/Forsyth County	08-815	N.C. Industrial Commission
Dalenko v Monroe	08-844	Wake
Shore Acres Co. v Town of Wrightsville	08-919	New Hanover
Northwest Property v Town of Carrboro	08-929	Orange
White v Thompson	08-953	Columbus

Sent Date: 9 January 2009

North Carolina Court of Appeals

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

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COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE BARBARA JACKSON
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009 AT 9:30 a.m.**

Hudgins v Wagoner	08-1004	Alamance
North Iredell Neighbors v Iredell Co.	08-1010	Iredell
North Iredell Neighbors v Iredell Co.	08-1068	Iredell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Castaneda	08-790	Forsyth
State v Keaton	08-840	Mecklenburg
State v Rush	08-871	Guilford
Fletcher v Bowser	08-958	Forsyth
Griffith v NC Dept. of Correction	08-966	Anson
In The Matter Of: S.M.S.	08-970	Pitt
Northland Cable v Highlands Cable Group	08-997	Macon
Hejl v Hood Hargett & Associates, Inc.	08-1065	Mecklenburg
Bell Road Injury Ctr. v AllState Ins.	08-1066	Graham

Sent Date: 9 January 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

PANEL NO. 4
HONORABLE ANN MARIE CALABRIA
HONORABLE RICK ELMORE
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009 AT 1:00 p.m.**

King v Beaufort Co. Bd. of Educ.	08-1038	Beaufort
Hardy v Beaufort Co. Bd. of Educ.	08-1053	Beaufort
Tonter Investments v Pasquotank Co.	08-1057	Pasquotank

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Morrow	08-867	Wilkes
State v Brewington	08-980	Lee
State v Gardner	08-1094	Randolph
Sykes v Moss Trucking	08-1039	N.C. Industrial Commission
Siquar USA v Wang, et al	08-1049	Catawba
Carter v Fresenius Medical Center	08-1063	N.C. Industrial Commission
Gesel v Miller Orthopaedic Clinic, Inc.	08-1077	N.C. Industrial Commission
Manitius v Guthrie	08-1083	Carteret
In The Matter Of: SAS Institute Inc.	08-1106	Property Tax Commission

Sent Date: 9 January 2009

North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Thursday, 12 February 2009

PANEL NO. 5
HONORABLE SANFORD STEELMAN
HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 2009 AT 9:30 a.m.**

Ford v Paddock	08-1012	Johnston
Panos v Timco Engine Center, Inc.	08-1018	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Kennedy	08-877	Lincoln
State v Webb	08-904	Union
State v Blackburn	08-914	Forsyth
First Gaston Bank v City of Hickory	08-1017	Catawba
In the Matter of: D.L.H.	08-1019	Guilford
Tallman v The City of Gastonia	08-1021	Gaston
Leggett v AAA Cooper Transportation	08-1027	Halifax
Munns v Precision Franchising, Inc.	08-1034	N.C. Industrial Commission
Asheville Sports v City of Asheville	08-1085	Buncombe
Livesay, et al v Carolina First, et al	08-1102	Henderson

Sent Date: 9 January 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 16 February 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **16 FEBRUARY 2009** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

In The Matter Of: M.T.	08-1183	Guilford
In Re: M.X.R.	08-1194	Harnett
In The Matter Of: A.J. and J.G.	08-1218	Jackson
In The Matter Of: A.L.L. and T.A.L.	08-1265	Guilford
In The Matter Of: K.W.B.	08-1294	Haywood
In Re: A.R.S. and C.T.S.	08-1324	Rutherford

Sent Date: 27 January 2009

North Carolina Court of Appeals

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

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

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COURT CALENDAR BY PANEL

Monday, 23 February 2009

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE JAMES A. WYNN, JR.
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 2009 AT 1:00 p.m.**

DOT v Marston Baptist Church, Inc.	08-856	Richmond
NC Dept. of Revenue v Hudson	08-945	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Pone	08-656	Sampson
State v Hinton	08-758	Mecklenburg
State v Koonce	08-777	Lenoir
State v Sadler	08-843	Gaston
State v Young	08-872	Wake
State v Ward	08-978	New Hanover
Lynn-Cliff, Inc. v Poole	08-741	Pender
Batlle v Sabates	08-860	Mecklenburg
Berardi v Craven Co. School District	08-920	N.C. Industrial Commission
Pait v Southeastern Regional	08-955	N.C. Industrial Commission
State v Carr	08-1337	Cabarrus

Sent Date: 23 January 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 23 February 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **23 FEBRUARY 2009** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

In The Matter Of: B.W.M.	08-1122	Wake
In The Matter Of: J.L.P.	08-1211	Currituck
In The Matter Of: C.E.J., Jr.	08-1289	Pitt
In The Matter Of: T.S.	08-1321	Pitt
In The Matter Of: R.A.S.	08-1345	Alamance
In The Matter Of: A.G.	08-1376	Iredell

Sent Date: 2 February 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Tuesday, 24 February 2009

PANEL NO. 2
HONORABLE LINDA M. MCGEE
HONORABLE MARTHA A. GEER
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 2009 AT 9:30 a.m.**

Craig v Sandy Creek Condominium, et al	08-1048	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Chandler	08-885	Chatham
State v Trombley	08-947	Mitchell
State v Bell	08-959	Gaston
State v Cotton	08-984	Rowan
State v Witherspoon	08-1003	Iredell
State v Woods	08-1006	Alamance
Connette v Jones	08-981	Brunswick
Hardin v KCS International, Inc.	08-996	New Hanover
Wein II, LLC v Porter, et al	08-1033	Buncombe
Brock & Scott Holdings, Inc. v West	08-1051	Pender

Sent Date: 23 January 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

PANEL NO. 3
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009 AT 9:30 a.m.**

State v Nicholson	08-1007	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Black	08-1009	Durham
State v Bettie	08-1015	Clay
State v Morton	08-1020	Person
State v Quick	08-1023	Guilford
State v Giddings	08-1032	Buncombe
Henson v Green Tree Servicing, LLC	08-1074	Henderson
Hicks v Dunn-Benson Ford, Inc.	08-1088	Sampson
Raper v Mansfield Systems, Inc.	08-1099	N.C. Industrial Commission
Williamson v Blounts Bay Land Co., LLC	08-1105	Beaufort
Belviso v Rosenke	08-1107	Pasquotank
Harbin Yinhai v Greentree Financial	08-1115	Mecklenburg

Sent Date: 23 January 2009

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COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

PANEL NO. 4
HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009 AT 1:00 p.m.**

Martini v Companion Property	08-1127	Wake
Bumpers v Community Bank	08-1135	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Vincent	08-1137	Northampton
State v Burns	08-1181	Wake
State v Osorio	08-1199	Forsyth
State v Rinehart	08-1209	Forsyth
State v Allen	08-1213	Randolph
State v Frady	08-1215	Buncombe
Garner v Smith	08-1117	Carteret
West Durham Lumber v SunTrust Bank	08-1136	Durham
Griessel v Temas Eye Center, P.C.	08-1139	Forsyth
Lassiter v Town of Selma	08-1148	N.C. Industrial Commission

Sent Date: 23 January 2009

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COURT CALENDAR BY PANEL

Thursday, 26 February 2009

PANEL NO. 5
HONORABLE BARBARA JACKSON
HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF FEBRUARY 2009 AT 9:30 a.m.**

Noble v Hooters of Greenville	08-1144	Greene

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 26TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Rivens	08-1042	Mecklenburg
State v Taylor	08-1045	Mecklenburg
State v Rose	08-1050	New Hanover
State v Kotecki	08-1070	Forsyth
State v Majett	08-1076	Forsyth
State v Largent	08-1108	Watauga
Tands, Inc. v Coastal Plains Realty	08-1143	Lenoir
Mosler v Druid Hills Land Co., Inc.	08-1146	Henderson
Plummer v Plummer	08-1158	Gaston
Catawba County v Wyant	08-1159	Catawba
Fairway Outdoor Advertising v Edwards	08-1172	Cabarrus

Sent Date: 23 January 2009