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

Thursday, 1 October 2009

PANEL NO. 5
HONORABLE LINDA STEPHENS
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 1ST OF OCTOBER 2009 AT 9:30 a.m.**

Duplin Co. Bd. of Educ. v Duplin Co. Bd	09-397	Duplin
Harbour Point v DJF Enterprises, Inc.	09-527	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 1ST OF OCTOBER 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 Hurt	09-442	Caldwell
State v Conley	09-456	Robeson
State v Jenkins	09-457	Brunswick
Pentecostal Pilgrims v Connor, et al	09-398	Wake
Adcox v Clarkson Brothers Const.	09-401	N.C. Industrial Commission
Trustee Services, Inc. v R.C. Koonts	09-406	Davidson
Tardani v Tardani	09-407	New Hanover
State Employees' Credit Union v Hendryx	09-417	Durham
Williams v Law Companies Group, Inc.	09-418	N.C. Industrial Commission
Rose v Forester, et al	09-427	Iredell

Sent Date: 27 August 2009

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 5 October 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **5 OCTOBER 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.N.N.G, et al	09-697	Guilford
In The Matter Of: K.N.M	09-706	Dare
In The Matter Of: N.F.	09-734	Buncombe
In Re: I.N.B., T.N.B., D.N.B.	09-742	Robeson
In Re: J. M., I.T., Jr., E.T.	09-757	Onslow
In The Matter Of: J.H.R.	09-809	Rutherford

Sent Date: 15 September 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, 7 October 2009

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE BARBARA JACKSON
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF OCTOBER 2009 AT 9:30 a.m.**

State v Halley	09-485	Cabarrus
Coventry Woods v City of Charlotte	09-537	Mecklenburg
Coventry Woods v City of Charlotte	09-611	Mecklenburg

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

Charlotte School of Law
2145 Suttle Avenue
Charlotte, NC 28208

Sent Date: 14 September 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

Monday, 12 October 2009

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE BARBARA JACKSON
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 12TH OF OCTOBER 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 Graham	09-601	Scotland
State v Carter	09-609	Mecklenburg
State v Miller	09-623	Mecklenburg
State v Blow	09-633	Wake
State v Davis	09-659	Pitt
Kucmierz v Four Oaks Bank & Trust	09-491	Wake
In the Matter of: D.K.	09-495	Guilford
Pike v D.A. Fiore Construction Services	09-520	Buncombe
Grantham v Crawford	09-528	Guilford

Sent Date: 21 September 2009

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 12 October 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **12 OCTOBER 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: J.M.D., et al	09-746	Greene
In The Matter Of: M.T.	09-764	Guilford
In The Matter Of: W.D.M., Jr.	09-803	Henderson
In The Matter Of: A.A.	09-818	Wake
In Re: B.N.M. and T.M.	09-846	Gaston
In the Matter of: H.N.J., A.S.J.	09-871	Northampton

Sent Date: 21 September 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

Tuesday, 13 October 2009

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE LINDA M. MCGEE
HONORABLE WANDA G. BRYANT

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 13TH OF OCTOBER 2009 AT 9:30 a.m.**

State v Sanders	09-443	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 13TH OF OCTOBER 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Lee v Gore	09-370	Wilkes
State v McIntyre	09-414	Cumberland
State v Alvardo	09-428	Montgomery
State v Smith	09-467	Mecklenburg
State v Baker	09-468	Mecklenburg
State v White	09-475	Buncombe
Chleborowicz, et al v Inlet Point	09-337	New Hanover
Boylan v Verizon Wireless	09-350	N.C. Industrial Commission
Holland v Horne	09-399	Scotland
Tabakova v Teodorescu	09-424	Pitt

Sent Date: 14 September 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 14 October 2009

PANEL NO. 3
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF OCTOBER 2009 AT 9:30 a.m.**

McCracken and Amick Inc. v Perdue	09-431	Wake
MLC Automotive v Town of Southern Pines	09-433	Moore

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF OCTOBER 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 Fortney	09-479	Cabarrus
State v Williams	09-493	Onslow
State v Huey	09-496	Mecklenburg
State v Steele	09-498	Mecklenburg
State v Spann	09-503	Caldwell
State v Santiano	09-506	Randolph
Ragsdale v Lamar Outdoor Advertising	09-430	N.C. Industrial Commission
Stottlemyer v City of Charlotte	09-435	N.C. Industrial Commission
Morris v City of Bessemer	09-440	Gaston
Little v NC Department of Environment	09-441	Cabarrus

Sent Date: 14 September 2009

North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: http://govu.us/nc-coa-oral-arguments ***

COURT CALENDAR BY PANEL

Wednesday, 14 October 2009

PANEL NO. 4
HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF OCTOBER 2009 AT 1:00 p.m.**

Boykin v Wilson Medical Center	09-450	Wilson
Credigy Receivables v Whittington	09-465	Wayne

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF OCTOBER 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 Young	09-510	Guilford
State v Chery	09-515	Onslow
State v Bell	09-516	Anson
State v McNeil	09-518	Brunswick
State v Gause	09-521	Brunswick
State v King	09-524	Camden
Meyer v Government Employees Ins. Co.	09-446	Mecklenburg
Giambelli v Hansen	09-461	Wake
In The Matter Of: J.A.G.	09-462	Orange
Land, et al v Land, et al	09-464	Guilford

Sent Date: 14 September 2009

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COURT CALENDAR BY PANEL

Thursday, 15 October 2009

PANEL NO. 5
HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 15TH OF OCTOBER 2009 AT 9:30 a.m.**

Brown Brothers Harriman Trust v Benson	09-474	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 15TH OF OCTOBER 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 Jenkins	09-546	Mecklenburg
State v Curry	09-547	Cleveland
State v Chiles	09-548	Mecklenburg
State v Stewart	09-555	Mecklenburg
State v Paige	09-563	Columbus
State v Norman	09-564	Mecklenburg
Cousart v Charlotte-Mecklenburg Hosp.	09-477	Mecklenburg
Dunn v Cook, et al	09-478	Durham
Callanan v Walsh	09-482	Transylvania
Builders Mutual Ins. v Glascarr Prop.	09-486	Guilford
Regions Bank v Baxley Commercial, et al	09-488	Wake

Sent Date: 14 September 2009

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 19 October 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **19 OCTOBER 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 Re: S.L.G. and D.K.G.	09-709	Iredell
In The Matter Of: G.W.	09-744	Washington
In The Matter Of: N.T.	09-796	Mecklenburg
In The Matter Of: A.T.	09-813	Wilkes
In the Matter of: K.F.	09-857	Chatham
In Re: D.A.A., A.M.F.	09-863	New Hanover

Sent Date: 2 October 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 19 October 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **19 OCTOBER 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 Williams	09-309	Cleveland
State v Black	09-330	Edgecombe
In The Matter Of: S.A.J.	09-339	McDowell
State v Sneed	09-367	Franklin
State v Williams	09-463	New Hanover
State v Hughes	09-550	Davidson
State v Butler	09-551	Mecklenburg

Sent Date: 2 October 2009

North Carolina Court of Appeals

Court of Appeals Building
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COURT CALENDAR BY PANEL

Monday, 26 October 2009

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE BARBARA JACKSON
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 26TH OF OCTOBER 2009 AT 1:00 p.m.**

Munger, et al v State of NC, et al	09-375	Wake
Reese v Mecklenburg County, et al	09-499	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 26TH OF OCTOBER 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 DeBerry	09-420	Richmond
State v Williams	09-448	Wilkes
State v Banks	09-454	Rowan
State v Woodruff	09-512	Lincoln
State v Edgeworth	09-523	Richmond
State v Roughton	09-536	Wilson
Brinn v Weyerhaeuser Company	09-403	N.C. Industrial Commission
Hojnacki v Last Rebel Trucking, Inc.	09-460	N.C. Industrial Commission
Lowd v Reynolds	09-505	Carteret
Dillingham v Dillingham	09-507	Buncombe

Sent Date: 29 September 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 26 October 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **26 OCTOBER 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 Hart	09-533	Lenoir
State v Dixon	09-429	Columbus
State v Williams	09-354	Columbus
State v Garrett	09-301	Cleveland
State v Gill	09-282	Rowan
State v Harden	09-476	Mecklenburg
State v Williams	09-413	Pitt
State v Threatte	09-310	Iredell
State v Massey	09-294	Mecklenburg

Sent Date: 29 September 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Tuesday, 27 October 2009

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE LINDA M. MCGEE
HONORABLE WANDA G. BRYANT

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 27TH OF OCTOBER 2009 AT 3:00 p.m.**

State v Veazey	09-566	Stokes
State v Simonovich	09-585	Buncombe

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

Wake Forest University School of Law
Worrell Professional Center
Wake Forest Road
Winston-Salem, NC 27106

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 27TH OF OCTOBER 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 Smith	09-565	Guilford
State v Claiborne	09-576	Person
State v Jackson	09-584	Onslow
State v Jones	09-673	Forsyth
Van Dyke v CMI Terex Corporation	09-539	Cleveland
Blevins v Steel Dynamics, Inc.	09-540	Franklin
Barrett v All Payment Services, Inc.	09-541	N.C. Industrial Commission

North Carolina Court of Appeals

Soder v Corvel Corporation	09-542	N.C. Industrial Commission
All Carolina Crane v Dan's Relocators	09-543	Brunswick
Teasley v Teasley	09-544	Durham

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 28 October 2009

PANEL NO. 3
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF OCTOBER 2009 AT 9:30 a.m.**

Lynn v Lynn	09-556	Columbus
Speedway Motorsports v Bronwen Energy	09-558	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF OCTOBER 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 Rahaman	09-586	Lee
State v Grange	09-605	Durham
State v Headen	09-606	Guilford
State v Murdock	09-615	Iredell
State v Brown	09-624	Halifax
State v Register	09-629	Cumberland
Barfield v N.C. Dept. of Crime Control	09-549	N.C. Industrial Commission
Brock And Scott Holdings v Bondurant	09-552	Iredell
Malone, ex rel v Steele, et al	09-554	Burke
Musick v Musick	09-557	Gaston

Sent Date: 29 September 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 28 October 2009

PANEL NO. 4
HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF OCTOBER 2009 AT 1:00 p.m.**

Venture Group Enterprises v Bice, et al	09-568	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF OCTOBER 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 Crowell	09-635	Johnston
State v Riley	09-643	Pender
State v Arrington	09-660	Edgecombe
State v Hager	09-664	Catawba
State v Reich	09-679	Rutherford
State v Johnson	09-696	Surry
NC Farm Bureau v MacBride	09-561	Halifax
Mace v Pyatt, et al	09-569	Rutherford
Dubose v N.C. Dept. of Correction	09-571	N.C. Industrial Commission
Earp v Quinlan	09-578	Durham
Campbell v Duke Univ. Health, et al	09-581	Wake

Sent Date: 29 September 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Thursday, 29 October 2009

PANEL NO. 5
HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 29TH OF OCTOBER 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 Smith	09-708	Mecklenburg
State v McCravey	09-712	Forsyth
State v Rambert	09-720	Onslow
State v Cecil	09-724	Guilford
State v Daniels	09-728	Hoke
State v Peppers	09-772	Wake
McKenzie v ESC	09-590	Gaston
State of NC Dept. of Health v Armstrong	09-639	Catawba
Its Leasing, Inc. v Ram Dog Enterprises	09-653	Mecklenburg
Lewis v Purcell	09-670	Rockingham
Miller & Long v Intracoastal Living	09-671	Brunswick
NC Concrete Finishers v NC Farm Bureau	09-687	Cumberland

Sent Date: 29 September 2009