North Carolina Court of Appeals

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

3.1 Calendar

Monday, 1 February 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **1 FEBRUARY 2010** 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.P. and J.C.C.	09-1086	Davidson
In The Matter Of: T.C.N.M.	09-1121	Cherokee
In The Matter Of: G.I.W.	09-1167	Wilkes
In The Matter Of: A.M.	09-1169	Chatham
In The Matter Of: J.N.	09-1239	Mecklenburg
In The Matter Of: J.P. and J.C.C.	09-1341	Davidson

Sent Date: 13 January 2010

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 8 February 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF 8 FEBRUARY 2010 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 Brooks	09-560	Hertford
State v Hernandez	09-722	Durham
State v Nance	09-745	Wayne
State v Dukes	09-1002	Orange
State v Moody	09-769	Burke
State v Mitchell	09-955	Wayne
State v Kimbrough	09-822	Forsyth
State v England	09-853	Mecklenburg
State v Blackwell	09-916	Johnston
State v Smith	09-881	Cabarrus

Sent Date: 12 January 2010

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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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

Tuesday, 9 February 2010

PANEL NO. 2
HONORABLE JOHN C. MARTIN
HONORABLE BARBARA JACKSON
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 9TH OF FEBRUARY 2010 AT 9:30 a.m.**

Amward Homes, Inc., et al v Town of Cary	09-923	Wake
Mugno v Mugno	09-1158	Wake
First Charter Bank v Am. Childrens Home	09-1232	Cabarrus

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Wright	09-1062	Forsyth
State v Moreno	09-1089	Chatham
State v Phillips	09-1105	Onslow
Phillips v Phillips	09-1059	Rowan
Meier v The City of Charlotte, et al	09-1081	Mecklenburg
Everett v NC Department of Transportatio...	09-1101	N.C. Industrial Commission
Azalea Garden Board v Vanhoy	09-1119	Davidson
Hanser, et al v Stonehouse, et al	09-1142	Forsyth
Gamewell v Gamewell	09-1186	Iredell

Sent Date: 20 January 2010

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 10 February 2010

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE SANFORD STEELMAN
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF FEBRUARY 2010 AT 9:30 a.m.**

Armacell LLC v Bostic, et al	09-1160	Alamance

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Brooks	09-1068	Orange
State v Stevens	09-1091	Wake
State v Turner	09-1116	Columbus
Fish House, Inc. v Clarke	09-1047	Hyde
Rockingham County DSS, ex rel v Tate	09-1071	Rockingham
Stahr v NC Dept. of Transportation	09-1084	Henderson
Lawson v Electronic Data Systems	09-1106	N.C. Industrial Commission
Smith v Valley Proteins	09-1125	N.C. Industrial Commission
In The Matter Of: A.S.	09-1152	Mecklenburg
Webb v Webb	09-1203	Alamance
City of Asheville v Huskey	09-1237	Buncombe

Sent Date: 20 January 2010

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 10 February 2010

PANEL NO. 4
HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF FEBRUARY 2010 AT 1:00 p.m.**

NC Farm Bureau Mutual v Sadler	09-1054	Hyde
Boatwright Distribution v North State	09-1077	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Lackey	09-1069	Johnston
State v Halliday	09-1094	Orange
State v Owens	09-1146	Brunswick
Buchanan v Buchanan	09-1085	Cabarrus
McDowell, et al v Randolph County, et al	09-1113	Randolph
Rekechinsky v Griffiths	09-1128	Wake
Hanson v Legasus of NC	09-1155	Jackson
Adams v Kalmar	09-1168	Duplin
Owen, et al v Eubanks, et al	09-1210	Transylvania
McCraw, et al v Aux, et al	09-1238	Wake

Sent Date: 20 January 2010

North Carolina Court of Appeals

Court of Appeals Building
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COURT CALENDAR BY PANEL

Thursday, 11 February 2010

PANEL NO. 5
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF FEBRUARY 2010 AT 9:30 a.m.**

Kubit, et al v MAG Mutual Ins., et al	09-1056	Cumberland
Rone v Winston-Salem/Forsyth County Bd.	09-1180	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Jarrett	09-1036	Forsyth
State v Chappelle	09-1076	Pasquotank
State v Williams	09-1095	Mecklenburg
Diggs v Forsyth Memorial Hospital, Inc.	09-890	Forsyth
Wally, et al v City of Kannapolis	09-1080	Cabarrus
Duckworth v SGL Carbon	09-1100	N.C. Industrial Commission
Nationwide Mutual v Burgdoff, et al	09-1117	Rowan
Simpson v Simpson	09-1131	Cabarrus
Hart v Perez, et al	09-1157	Brunswick
Irby v Freese, et al	09-1224	Mecklenburg

Sent Date: 20 January 2010

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 15 February 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 FEBRUARY 2010** 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: A.S.S.	09-1183	Randolph
In The Matter Of: A.D.E. and M.R.E.	09-1184	Buncombe
In The Matter Of: L.A.H., J.R.H., J.L.H.	09-1258	Lincoln
In The Matter Of: D.W.	09-1349	Orange
In The Matter Of: M.A.P. and S.A.P.	09-1350	Orange
In The Matter Of: E.M.	09-1370	Mecklenburg

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, 22 February 2010

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE JAMES A. WYNN, JR.
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Frisby	09-812	Union
State v Bonner	09-1126	Pasquotank
State v White	09-1149	Guilford
State v Battle	09-1154	Pitt
State v Broussard	09-1197	Durham
State v Samuel	09-1230	Durham
Gupton v Son-Lan Development Co., et al	09-934	Harnett
Scott v N.C. Department of Correction	09-1090	N.C. Industrial Commission
Bullock v Bullock	09-1214	Vance
Tarasi v Jugis	09-1252	Mecklenburg
Brock and Scott Holdings, Inc. v Stone	09-1270	Harnett
NC Railroad Company v Bell, et al	09-1309	Carteret

Sent Date: 4 February 2010

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 22 February 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **22 FEBRUARY 2010** 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: A.C.V.	09-1199	Wake
In The Matter Of: Z.A.D.K. and T.J.P.K.	09-1266	Mecklenburg
In Re: S.E.W. and J.A.W.	09-1267	McDowell
In The Matter Of: J.S., C.Y., and M.Y.	09-1302	Mecklenburg
In The Matter Of: A.S.	09-1386	Robeson
In The Matter Of: R.L.T., Jr.	09-1457	Sampson

Sent Date: 27 January 2010

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

Tuesday, 23 February 2010

PANEL NO. 2
HONORABLE LINDA M. MCGEE
HONORABLE MARTHA A. GEER
HONORABLE SAM J. ERVIN, IV

Judge Robert C. Hunter will sit for Judge Linda M. McGee for the orally argued case.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF FEBRUARY 2010 AT 9:30 a.m.**

Newcomb, et al v County of Carteret, et ...	09-1254	Carteret

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Miller	09-927	Buncombe
State v Floyd	09-1132	Brunswick
State v Horton	09-1143	Person
State v Gordon	09-1164	Transylvania
State v Gray	09-1198	Forsyth
State v Carpenter	09-1247	Lincoln
Unifund CCR Partners v Rowell	09-949	Buncombe
Robinson, et al v Bridgestone, et al	09-1108	Halifax
Ellison, et al v Alexander	09-1240	Mecklenburg
Brown v Staten, et al	09-1271	Lenoir
Hedges v Wake County Public School, et a...	09-1305	N.C. Industrial Commission

Sent Date: 4 February 2010

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 24 February 2010

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF FEBRUARY 2010 AT 9:30 a.m.**

State v Mills	09-1144	Nash
In The Matter Of The Will Of: Baitschora	09-1141	Durham

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

UNC-CH School of Law
Van Hecke-Wettach Hall
160 Ridge Road
Chapel Hill, NC 27599

Sent Date: 4 February 2010

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

Wednesday, 24 February 2010

PANEL NO. 4
HONORABLE WANDA G. BRYANT
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF FEBRUARY 2010 AT 1:00 p.m.**

State v Reid	09-1292	Guilford
In The Matter Of: Sutton	09-1209	Pitt

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

UNC-CH School of Law
Van Hecke-Wettach Hall
160 Ridge Road
Chapel Hill, NC 27599

Sent Date: 4 February 2010

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, 24 February 2010

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Collins	09-1001	Guilford
State v Blackburn	09-1133	Catawba
State v Weatherspoon	09-1189	Onslow
State v Hopper	09-1211	Forsyth
State v Allen	09-1259	Beaufort
Blackburn v Duke University	09-1019	N.C. Industrial Commission
Dunton v Ayscue	09-1242	Granville
In The Matter Of: D.L.D.	09-1253	Durham
Gray v RDU Airport Authority	09-1282	N.C. Industrial Commission
Hensley v McDowell County, et al	09-1319	McDowell

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COURT CALENDAR BY PANEL

Wednesday, 24 February 2010

PANEL NO. 4
HONORABLE WANDA G. BRYANT
HONORABLE SANFORD STEELMAN
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Hagin	09-1092	Anson
State v Craven	09-1138	Chatham
State v Banks	09-1150	Buncombe
State v Goble	09-1192	Caldwell
State v Little	09-1223	Craven
Bradley v Bradley	09-1074	Mecklenburg
In The Matter Of: C.B.	09-1248	Durham
Edgerton v Wythe Advantage	09-1268	N.C. Industrial Commission
Ahmadi v Triangle Rent A Car, Inc.	09-1299	Guilford
Blevins Workshop, Inc. v Williams	09-1325	Alleghany

Sent Date: 4 February 2010

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COURT CALENDAR BY PANEL

Thursday, 25 February 2010

PANEL NO. 5
HONORABLE RICK ELMORE
HONORABLE BARBARA JACKSON
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF FEBRUARY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Gregory	09-1124	New Hanover
State v Arthur and Palmer	09-1139	Beaufort
State v Inman	09-1151	Onslow
State v Miller	09-1193	Guilford
State v Slycord	09-1229	Randolph
State v Stanley	09-1263	Guilford
Demeritt v Springsteed	09-1075	Mecklenburg
Andresen v Progress Energy, Inc., et al	09-1207	Brunswick
Peterson v Polk-Sullivan, LLC	09-1251	Chatham
The NC State Bar v Sossomon	09-1269	N.C. State Bar
Gore v Southwest Airlines Company	09-1300	N.C. Industrial Commission
Templeton v Town of Boone	09-1332	Watauga

Sent Date: 4 February 2010