

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 2 May 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **2 MAY 2011** 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 Franklin | 10-1082 | Mecklenburg |
| State v Wells | 10-1109 | Mecklenburg |
| State v Hinton | 10-1125 | Mitchell |
| State v Stover | 10-1126 | Mecklenburg |
| State v McClarty | 10-1166 | Rowan |
| State v Tucker | 10-1207 | Randolph |
| State v Clark | 10-1218 | Guilford |
| State v Franklin | 10-1222 | Scotland |
| State v Greer | 10-1330 | Transylvania |

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 9 May 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **9 MAY 2011** 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: K.J.B-L. | 10-1379 | Surry |
| In The Matter Of: P.D.R., L.S.R., J.K.R. | 10-1519 | Mecklenburg |
| In The Matter Of: M.M. | 10-1520 | Cumberland |
| In The Matter Of: T.J., T.J., M.J. | 10-1548 | Buncombe |
| In The Matter Of: R.H. and M.H. | 11-13 | Pitt |
| In Re: J.S.G. and G.D.J.G. | 11-76 | Catawba |

Sent Date: 19 April 2011

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 May 2011

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF MAY 2011 AT 9:30 a.m.**

| | | |
|---|---------|-------------|
| Countrywide Home Loans, et al v States R... | 10-1348 | Pitt |
| Green, et al v Fishing Piers, Inc., et a... | 10-1610 | New Hanover |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|--------------|
| State v Eason | 10-1384 | Harnett |
| State v Fox | 10-1485 | Harnett |
| State v Simmons | 10-1534 | Forsyth |
| State v Evans | 10-1555 | Rutherford |
| State v Taylor | 10-1604 | Wake |
| State v Bell | 11-49 | Durham |
| Hylton v Hanesbrands, Inc. | 10-1442 | Forsyth |
| Stepp v Owen | 10-1522 | Transylvania |
| Nasser v Dynamic Images Salon And Spa, I... | 10-1567 | New Hanover |
| In The Matter Of The Foreclosure Of: Sto... | 11-34 | Brunswick |

Sent Date: 14 April 2011

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 May 2011

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE WANDA G. BRYANT
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF MAY 2011 AT 9:30 a.m.**

| | | |
|---|---------|--------|
| State v Lewis | 10-1538 | Gaston |
| Variety Wholesalers, Inc. v Salem Logist... | 10-1285 | Vance |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Grier | 10-1267 | Gaston |
| State v Avent | 10-1406 | Wake |
| State v Stanford | 10-1506 | Cabarrus |
| State v Gonzales | 10-1577 | Wake |
| State v Battle | 10-1605 | Edgecombe |
| Flanary v Wilkerson, et al | 10-1401 | Johnston |
| Schneider v NC DOT | 10-1462 | N.C. Industrial Commission |
| Coventry Woods Neighborhood, et al v Cit... | 10-1551 | Mecklenburg |
| Bodie Island Beach Club, et al v Wray, e... | 10-1569 | Dare |
| McCall v Norman | 10-1612 | Transylvania |

Sent Date: 14 April 2011

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 May 2011

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE LINDA STEPHENS
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Howard | 10-1273 | Randolph |
| State v Goree | 10-1465 | Wake |
| State v Baker | 10-1507 | Wake |
| State v Jackson | 10-1550 | Forsyth |
| State v Pratt | 10-1583 | Stokes |
| State v Presley | 11-29 | Brunswick |
| Obiol v Sanker | 10-1321 | Johnston |
| Berthelot v Mountain Area Health Educati... | 10-1402 | N.C. Industrial Commission |
| Goodwin v Century Care of Cherryville, I... | 10-1449 | Gaston |
| In The Matter Of: A.C.G. | 10-1552 | Davidson |
| In The Matter Of: Alvius Fred Church | 10-1598 | Ashe |
| Point Intrepid, LLC, et al v Farley | 10-1617 | Cumberland |

Sent Date: 14 April 2011

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

Thursday, 12 May 2011

PANEL NO. 5

HONORABLE ANN MARIE CALABRIA
HONORABLE SAM J. ERVIN, IV
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 12TH OF MAY 2011 AT 9:30 a.m.**

| | | |
|---|---------|--------|
| State v McDowell | 10-1553 | Ashe |
| Rioux v Accurate Home Inspection, Inc., ... | 10-1439 | Orange |
| Watford, et al v MidSouth Golf, LLC | 10-1562 | Craven |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 12TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---------------------------------------|---------|-------------|
| State v James | 10-1375 | New Hanover |
| State v Carroway | 10-1473 | Durham |
| State v French | 10-1525 | Lee |
| State v Ayers | 10-1596 | Cleveland |
| State v Bell | 11-40 | Forsyth |
| Hatteras Realty, Inc. v Petty, et al | 10-1339 | Dare |
| Smith, et al v County of Durham | 10-1500 | Durham |
| Oakes v Oakes, et al | 10-1607 | Brunswick |
| Ward v Buckeye Homeowners Association | 11-3 | Forsyth |

Sent Date: 14 April 2011

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, 23 May 2011

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE LINDA STEPHENS
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF MAY 2011 AT 1:00 p.m.**

| | | |
|---|---------|----------------------------|
| Strickland v The University of NC at Wil... | 10-1589 | N.C. Industrial Commission |
|---|---------|----------------------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF MAY 2011.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|------------|
| State v Reams | 10-1423 | Johnston |
| State v Norton | 10-1544 | Buncombe |
| State v Seymore | 10-1578 | Pasquotank |
| State v Taylor | 11-44 | Rockingham |
| State v Williams | 11-73 | Wayne |
| State v Thomas | 11-91 | Pitt |
| Wilson v Wilson | 10-1517 | Pitt |
| Searcy v Searcy | 11-11 | Carteret |
| Mathis v Hoffman | 11-45 | Gaston |
| Robinson, et al v Forest Creek Limited P... | 11-118 | Orange |
| Skelly v Skelly | 11-150 | Burke |

Sent Date: 3 May 2011

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 23 May 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **23 MAY 2011** 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 Tilley | 10-1056 | Forsyth |
| State v Knotts | 10-1266 | Columbus |
| State v Jacobs | 10-1310 | Robeson |
| State v Griffin | 10-1347 | Lee |
| State v Miller | 10-1362 | New Hanover |
| State v Cromartie | 10-1378 | Sampson |
| State v Morgan | 10-1416 | Mecklenburg |
| State v Moore | 10-1427 | Guilford |

Sent Date: 20 April 2011

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, 24 May 2011

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE SAM J. ERVIN, IV
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF MAY 2011.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|-------------|
| State v Davis | 10-1441 | Hertford |
| State v Robinson | 10-1560 | Wake |
| State v Murray | 10-1601 | Cleveland |
| State v Heien | 11-52 | Surry |
| State v Cook | 11-74 | Lincoln |
| State v Newman | 11-135 | Haywood |
| Beaches West Developments, Ltd. v NC Eye... | 10-1545 | Durham |
| Khomyak, et al v Meek, et al | 10-1597 | Mecklenburg |
| Church v Decker | 11-25 | Caldwell |
| Downer v Wolfe | 11-50 | Anson |
| McAdams v N.C. DOT | 11-102 | Wake |
| Williams v Chaney | 11-164 | Lincoln |

Sent Date: 3 May 2011

North Carolina Court of Appeals

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

3.1 Calendar

Tuesday, 24 May 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **24 MAY 2011** 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: C.G.M., II | 10-1393 | Clay |
| In Re: J.W., Jr. | 10-1496 | Bertie |
| In The Matter Of: T.M.B., J.J.B., T.D.B. | 10-1523 | Brunswick |
| In The Matter Of: K.B. and K.B. | 10-1556 | Mecklenburg |
| In Re: J.C. | 11-111 | Mecklenburg |
| In The Matter Of: L.T. | 11-129 | Wake |

Sent Date: 5 May 2011

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, 25 May 2011

PANEL NO. 4

HONORABLE WANDA G. BRYANT
HONORABLE MARTHA A. GEER
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF MAY 2011 AT 1:00 p.m.**

| | | |
|---|------|----------------------------|
| Tinajero v Balfour Beatty Infrastructure... | 11-2 | N.C. Industrial Commission |
|---|------|----------------------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| Wolgin v Wolgin | 11-148 | Durham |
| State v Davis | 10-1388 | Iredell |
| State v Ross | 10-1503 | Rowan |
| State v Anderson | 10-1573 | Wilson |
| State v LaSalle | 11-27 | Lincoln |
| State v Lupek | 11-63 | Chatham |
| State v Smith | 11-81 | Guilford |
| Fuller v Best Services Group, et al | 10-1238 | N.C. Industrial Commission |
| Universal Insurance Company v Burton Far... | 10-1554 | Forsyth |
| In The Matter Of: Prest | 11-35 | Carteret |
| In The Matter Of: D.B. | 11-66 | Durham |

Sent Date: 3 May 2011

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 25 May 2011

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Dunston | 10-1490 | Vance |
| State v Fulton | 10-1568 | Mecklenburg |
| State v Torres | 10-1615 | Wake |
| State v Lane | 11-53 | New Hanover |
| State v Perry | 11-78 | Rowan |
| State v Sloan | 11-171 | Vance |
| Ancelmo, et al v Oliver | 10-1546 | Greene |
| Hawkins v A & M Auto Body, Inc. | 10-1620 | N.C. Industrial Commission |
| Johnson, et al v Antioch United Holy Chu... | 11-24 | Pender |
| Curtis v Gaines Motor Lines, Inc., et al | 11-51 | N.C. Industrial Commission |
| Varughese, et al v Deutsche Bank Nationa... | 11-133 | Orange |
| In The Matter Of: J.Y. | 11-166 | Bertie |

Sent Date: 3 May 2011

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COURT CALENDAR BY PANEL

Thursday, 26 May 2011

PANEL NO. 5

HONORABLE ANN MARIE CALABRIA
HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF MAY 2011 AT 9:30 a.m.**

| | | |
|---|-------|--------|
| State v Jackson | 11-70 | Wake |
| Robinson, ex rel v NC Department of Heal... | 11-4 | Gaston |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 26TH OF MAY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Steele | 10-1405 | Rowan |
| State v Rico | 10-1536 | Sampson |
| State v Richardson | 10-1575 | Robeson |
| State v Jarvis | 11-31 | Rowan |
| State v Lamb | 11-89 | Carteret |
| Lipscomb v Mayflower Vehicle Systems, et... | 10-1415 | N.C. Industrial Commission |
| Denning v N.C. Department of Agriculture | 10-1587 | N.C. Industrial Commission |
| Carsanaro v Colvin | 11-43 | Orange |
| Consolidated Electrical Distributors, In... | 11-96 | Wake |
| Griffin v Griffin | 11-147 | Forsyth |

Sent Date: 3 May 2011

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 30 May 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **30 MAY 2011** 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 Hargis | 10-1173 | Person |
| State v Treadway | 10-1355 | Union |
| State v Thompson | 10-1376 | Forsyth |
| State v Fletcher | 10-1418 | Moore |
| State v Baines | 10-1429 | Durham |
| State v Bellamy | 10-1469 | Columbus |
| State v Gary | 10-1471 | Forsyth |
| State v Burke | 10-1539 | Rowan |
| State v Shepherd | 11-48 | Craven |
| State v Odom | 11-61 | Guilford |

Sent Date: 27 April 2011