North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 6 August 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 AUGUST 2012** 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.

Sartori v County of Jackson, et al	11-1398	Jackson
State v Hensley	11-1576	Buncombe
State v Millsaps	12-32	Iredell
State v Fulton	12-33	Forsyth
State v France	12-50	Cabarrus
State v Barker	12-126	Gaston
State v Costa	12-206	Macon
State v Mincey	12-223	Cleveland
State v Logan	12-279	Henderson
Krajc v Dahlgren	12-343	Brunswick

Sent Date: 3 July 2012

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 13 August 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON 13 AUGUST 2012 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 Matters Of: K.T. and K.T.	12-124	Ashe
In The Matter Of: D.B.G. and C.M.G.	12-283	Pitt
In The Matter Of: C.B.B.	12-319	Mecklenburg
In The Matter Of: R.H.	12-372	Pitt
In Re: M.R.G.	12-439	Wilkes
In The Matter Of: H.Z.C.	12-462	Surry

Sent Date: 9 July 2012

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.

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, 14 August 2012

PANEL NO. 2
HONORABLE LINDA M. MCGEE
HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 14TH OF AUGUST 2012 AT 9:30 a.m.**

Novant Health, Inc., et al v N.C. DHHS	12-57	N.C. Dept. of Health & Human Svcs

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 14TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Lambert	11-1574	Mecklenburg
State v Eason	12-7	Johnston
State v Brown	12-84	Randolph
State v Brown	12-110	Alamance
State v Boliek	12-140	Cleveland
State v Gray	12-153	Forsyth
Crockett v Prantner	11-1565	Wake
Helfrich v Coca-Cola Bottling Company Co...	12-106	N.C. Industrial Commission
Atkinson v Carolina Radiology, et al	12-134	Wilson
Russell, et al v Donaldson, et al	12-183	Caldwell
Austin Maintenance And Construction v Cr...	12-201	Mecklenburg

Sent Date: 17 July 2012

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, 15 August 2012

PANEL NO. 3
HONORABLE ROBERT C. HUNTER
HONORABLE MARTHA A. GEER
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF AUGUST 2012 AT 9:30 a.m.**

Learning Center/Ogden School, Inc. v Che...	11-1270	Cherokee
Union Academy, et al v Union County Publ...	11-1300	Union

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Gibbs	11-1504	Pitt
State v Hubbard	11-1577	Onslow
State v Cunningham	12-23	Mecklenburg
State v Harvey	12-82	Sampson
State v Johnson	12-111	Onslow
State v Kelly	12-141	Mecklenburg
In The Matter Of: Brights Creek Lot 71, ...	12-69	Polk
Derian v Derian	12-113	Orange
Parker v Farlow	12-144	Guilford
Suntrust Bank v C And D Custom Homes, LL...	12-185	Wake

Sent Date: 17 July 2012

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, 15 August 2012

PANEL NO. 4
HONORABLE WANDA G. BRYANT
HONORABLE LINDA STEPHENS
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF AUGUST 2012 AT 1:00 p.m.**

Bulloch v NC Dept. of Crime Control	12-115	Wake
Smith v Denross Contracting, et al	12-169	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Garvin and McGill	11-1508	Gaston
State v Raman	11-1588	Guilford
State v Patterson	12-29	Mecklenburg
State v Jones	12-98	Durham
State v Green	12-135	Swain
State v Redman	12-142	Currituck
Keystone Builders, et al v The Town of I...	11-1444	Union
Carrington v Depaoli, et al	11-1566	Wake
Builders Mutual Ins. Co., v Meeting Stre...	12-71	Wake
The Currituck Club Property Owners v Man...	12-187	Currituck

Sent Date: 17 July 2012

North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Thursday, 16 August 2012

PANEL NO. 5
HONORABLE ANN MARIE CALABRIA
HONORABLE DONNA STROUD
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 16TH OF AUGUST 2012 AT 9:30 a.m.**

Poarch v N.C. Department of Crime Contro...	11-1501	Wake
Suntrust Bank v Bryant/Sutphin Propertie...	12-131	Forsyth
Johnson, et al v NC Department of Cultur...	12-173	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 16TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Singley	11-1556	Henderson
State v Hernandez	12-5	Johnston
State v Nidiffer	12-61	Guilford
State v Lewis	12-100	Onslow
State v Bradley	12-139	New Hanover
State v Cureton	12-147	Mecklenburg
Peltzer v Peltzer	12-41	Catawba
Thompson v Charlotte-Mecklenburg Board o...	12-93	Mecklenburg
Horne v Town of Blowing Rock	12-196	Watauga

Sent Date: 17 July 2012

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 20 August 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON 20 AUGUST 2012 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.C.	12-274	Buncombe
In The Matter Of: C.A.C.	12-305	Gaston
In The Matter Of: L.M.	12-333	Stanly
In The Matter Of: A.S.R.	12-334	Greene
In The Matters Of: S.D.L.K. and S.L.D.C.	12-352	Burke
In The Matter Of: D.D.C.	12-495	Guilford

Sent Date: 24 July 2012

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

Monday, 27 August 2012

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE MARTHA A. GEER
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 27TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Farrow	12-174	Durham
State v McKey	12-215	Forsyth
State v Thorpe	12-229	Durham
State v Williams	12-257	Mecklenburg
State v Golden	12-265	Randolph
State v Perry	12-322	Wake
In The Matter Of: C.J.L.	12-234	Alexander
Nationwide Property v Brinley's Grading ...	12-276	Wake
Scadden v Holt	12-303	Carteret
Babb, et al v Hoskins, et al	12-318	Forsyth
Cornelius v Lipscomb, et al	12-344	Iredell
Sood v Sood	12-369	Gaston

Sent Date: 31 July 2012

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, 28 August 2012

PANEL NO. 2
HONORABLE LINDA M. MCGEE
HONORABLE CHERI BEASLEY
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 28TH OF AUGUST 2012 AT 9:30 a.m.**

France v France	12-284	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 28TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Riley	11-1388	Pender
State v Wilkerson	12-175	Hoke
State v Boyett	12-222	New Hanover
State v Welton	12-235	Iredell
State v Graham	12-258	Cabarrus
State v Barnett	12-269	Gaston
Metrolina Builders, Inc. v New Beginning...	12-217	Mecklenburg
Gary L. Davis, CPA, P.A. v Hall	12-254	Guilford
Ginsburg v Pritchard, et al	12-304	Iredell
Tyndall v Ford Motor Company, et al	12-321	Nash
Scearce v Chemtek, Inc., et al	12-345	N.C. Industrial Commission

Sent Date: 31 July 2012

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, 29 August 2012

PANEL NO. 4
HONORABLE ANN MARIE CALABRIA
HONORABLE RICK ELMORE
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF AUGUST 2012 AT 1:00 p.m.**

State v Jones and White	12-282	Mecklenburg
Capital Resources, LLC, et al v Chelda, ...	12-288	Catawba
Veitia v Mulshine Builders LLC	12-309	Watauga

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF AUGUST 2012.** 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	12-162	Mecklenburg
State v Allen	12-189	Wayne
State v Pittman	12-226	Wayne
State v Langley	12-252	Mecklenburg
State v Gillis	12-260	Sampson
McCoy v City of Charlotte	12-219	Mecklenburg
Jenkins v Whimper-Jackson	12-268	Craven
Johnson v Opsitnick	12-328	Wake
Hillard v Hillard	12-353	Rowan

Sent Date: 31 July 2012

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 29 August 2012

PANEL NO. 3
HONORABLE ROBERT C. HUNTER
HONORABLE WANDA G. BRYANT
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Chaudhry	12-161	Guilford
State v Santibanez	12-177	Sampson
State v Evans	12-224	Wake
State v Minton	12-243	Wilkes
State v Rollins	12-259	Mecklenburg
State v Barnes	12-278	Rockingham
Hudgins v RLB Management, Inc.	12-218	Mitchell
In The Matter Of: Pearce	12-262	Johnston
Rochelle v Rochelle	12-285	Orange
Mintz v Verizon Wireless, et al	12-306	N.C. Industrial Commission
Pohlman, et al v Magens Bay Home Owners ...	12-327	Carteret
Hardy, et al v Vance County Board of Edu...	12-347	Vance

Sent Date: 31 July 2012

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Thursday, 30 August 2012

PANEL NO. 5
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE SAM J. ERVIN, IV
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 30TH OF AUGUST 2012 AT 9:30 a.m.**

State v Ryan	12-228	Johnston
In The Matter Of: D.W-S.	12-233	Wayne
Vellines v Childree, et al	12-358	Currituck

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 30TH OF AUGUST 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Jolly	12-163	Brunswick
State v Manson	12-205	Vance
State v Smith	12-253	Iredell
State v Memije	12-263	Forsyth
State v Coley	12-313	Wayne
Spivey v Wrights Roofing, et al	12-270	N.C. Industrial Commission
Ruiz v Franklin County Animal Control, e...	12-286	Franklin
Schermerhorn v NC State Highway Patrol	12-316	Wake
Godon Construction, Inc. v Primo Enterpr...	12-335	Lee

Sent Date: 31 July 2012