

# North Carolina Court of Appeals

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

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

## COURT CALENDAR BY PANEL

Tuesday, 10 January 2012

### PANEL NO. 1

HON. JOHN C. MARTIN  
HON. LINDA M. MCGEE  
HON. ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF JANUARY 2012 AT 1:00 p.m.**

Mynhardt v Elon University, et al	11-668	Alamance
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF JANUARY 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 Springs	11-799	Catawba
State v Flood	11-856	Alamance
State v Glenn	11-897	New Hanover
State v Davis	11-960	Gaston
State v Woresly	11-1036	Wayne
State v Ellis	11-1084	Cleveland
Simpson v Robertson, et al	11-858	Mecklenburg
Allran, et al v Wells Fargo, et al	11-967	Lincoln
Lingerfelt v Advance Transportation, Inc...	11-983	N.C. Industrial Commission
Meadlock v American Family Life Assuranc...	11-1009	Caldwell
Wachovia Bank of Delaware, N.A. v Askew	11-1039	Lenoir

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## COURT CALENDAR BY PANEL

Tuesday, 10 January 2012

### PANEL NO. 2

HON. ROBERT C. HUNTER  
HON. CRESSIE H. THIGPEN, JR.  
HON. DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF JANUARY 2012 AT 9:30 a.m.**

Delhaize America, Inc. v Hoyle	11-868	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF JANUARY 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 Hare	11-818	Wake
State v Errichiello	11-857	Guilford
State v Holder	11-919	Johnston
State v Fisher	11-980	Wayne
State v Fullwood	11-1054	Buncombe
State v Schiro	11-1092	Moore
Inspection Station v The NC Division of ...	11-688	Wake
Bramblett v Bramblett	11-970	Forsyth
In The Matter Of The Foreclosure Of: Pug...	11-990	New Hanover
Baker v Baker	11-1010	Guilford
The NC State Bar v Staples	11-1040	N.C. State Bar

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## COURT CALENDAR BY PANEL

Wednesday, 11 January 2012

### PANEL NO. 3

HON. WANDA G. BRYANT  
HON. RICK ELMORE  
HON. SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF JANUARY 2012**  
**AT 9:30 a.m.**

NRC Golf Course, LLC v JMR Golf, LLC, et...	11-738	Carteret
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF JANUARY 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 Harris	11-829	Forsyth
State v Webster	11-862	Onslow
State v Barts	11-937	Alamance
State v Fisher	11-981	Cumberland
State v Ellerbee	11-1055	Robeson
State v Walker	11-1093	Cleveland
Meherrin Tribe of NC v NC State Commissi...	11-885	Wake
Rawls v Yellow Roadway Corporation, et a...	11-971	N.C. Industrial Commission
Bodie v Bodie	11-999	Transylvania
Procar II, Inc. v Dennis, et al	11-1018	Mecklenburg
Fields v McMahan	11-1043	Chatham

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## COURT CALENDAR BY PANEL

Wednesday, 11 January 2012

### PANEL NO. 4

HON. SANFORD STEELMAN  
HON. MARTHA GEER  
HON. ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF JANUARY 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 Johnson	11-834	Cabarrus
State v Bell	11-864	Person
State v Eaton	11-956	Forsyth
State v Armstrong	11-1013	Mecklenburg
State v Scott	11-1063	Robeson
State v Blackley	11-1133	Durham
Wood v Nunnery, et al	11-750	Forsyth
Cullen, et al v Emanuel And Dunn, PLLC, ...	11-921	Columbus
Livesay v Livesay	11-973	Henderson
Stevens v United States Cold Storage, In...	11-1000	N.C. Industrial Commission
Bullard v Wake County, et al	11-1022	Wake
Cantillana v Five Oaks Homeowners Associ...	11-1048	Durham

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## COURT CALENDAR BY PANEL

Thursday, 12 January 2012

### PANEL NO. 5

HON. LINDA STEPHENS  
HON. DONNA STROUD  
HON. CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 12TH OF JANUARY 2012 AT 9:30 a.m.**

Edwards, et al v Pitt County Health Dire...	11-754	Pitt
Town of Nags Head v Cherry, Inc.	11-931	Dare

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 12TH OF JANUARY 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 Tyson	11-855	Beaufort
State v Shaw	11-874	Wake
State v Lopez	11-957	Guilford
State v Spearman	11-991	New Hanover
State v Lawrence	11-1083	Mecklenburg
State v Pittman	11-1143	Nash
Clark v Pepsi Bottling Ventures, et al	11-974	N.C. Industrial Commission
McCorkle v Emmanuel Baptist Church	11-1002	Union
Templeton Properties, L.P. v Town of Boo...	11-1025	Watauga
Diane K. Troum, Inc. v Amini Innovation ...	11-1045	Guilford

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## COURT CALENDAR BY PANEL

Monday, 23 January 2012

### PANEL NO. 1

HON. JOHN C. MARTIN  
HON. LINDA M. MCGEE  
HON. ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF JANUARY 2012 AT 1:00 p.m.**

Fairway Forest Townhouses v Fairfield Sa...	11-942	Jackson
Land, et al v Land, et al	11-1027	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF JANUARY 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 Mitchell	11-890	Mecklenburg
State v Radford	11-1050	Surry
State v Felton	11-1145	Wayne
Haltiwanger v Phoenix Ski Corporation, e...	11-1075	Haywood
Seal Polymer Industries v Med-Express, l...	11-1101	Buncombe
Bank Of The Carolinas v Burkett	11-1115	Forsyth
Miller v Orcutt, et al	11-1128	Wake

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## COURT CALENDAR BY PANEL

Tuesday, 24 January 2012

### PANEL NO. 2

HON. ROBERT C. HUNTER  
HON. CRESSIE H. THIGPEN, JR.  
HON. DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 24TH OF JANUARY 2012 AT 9:30 a.m.**

State v Underwood	11-891	Johnston
Shera v N.C. State University Veterinary...	11-1102	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF JANUARY 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 McNeil	11-708	Wake
State v Huffman	11-1103	Catawba
Craver, et al v Raymond, et al	11-600	Watauga
Camacho, et al v Flowers	11-949	Cumberland
Bess v County of Cumberland, et al	11-1044	Cumberland
Erie Insurance Exchange v Salazar, et al	11-1080	Mecklenburg
Hayes v Time Warner Cable, Inc., et al	11-1120	Durham

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## COURT CALENDAR BY PANEL

Wednesday, 25 January 2012

### PANEL NO. 3

HON. WANDA G. BRYANT  
HON. RICK ELMORE  
HON. SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF JANUARY 2012**  
**AT 9:30 a.m.**

Lovette and Lynch v The NC Department of...	11-1081	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF JANUARY 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 Henderson	11-730	Wake
State v Adams	11-930	Wake
State v Anderson	11-1061	Forsyth
State o/b/o Davis v McCommons	11-666	Union
Micro Capital Investors, Inc. v Broyhill...	11-982	Caldwell
Rev O, Inc. v Woo	11-1051	Wake
Coomer v Lee County Board of Education	11-1105	Lee
State Farm Mutual Automobile Insurance v...	11-1125	Cabarrus



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## COURT CALENDAR BY PANEL

Wednesday, 25 January 2012

### PANEL NO. 4

HON. SANFORD STEELMAN  
HON. MARTHA GEER  
HON. ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF JANUARY 2012**  
**AT 1:00 p.m.**

Whitworth v Whitworth	11-989	Wilkes
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF JANUARY 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 Wright	11-841	Wayne
State v Harris	11-936	Buncombe
State v Boney	11-1123	Cumberland
Warren v NC Department of Crime Control	11-884	Wake
In The Matter Of: Five Oaks Recreational...	11-1053	Durham
Beatty v Greenfield	11-1086	New Hanover
Stern v Cinoman	11-1106	Durham
Williams v Habul, et al	11-1126	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 26 January 2012

### PANEL NO. 5

HON. LINDA STEPHENS  
HON. DONNA STROUD  
HON. CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF JANUARY 2012 AT 9:30 a.m.**

In The Matter Of: Ocean Isle Palms LLC      11-1127      Property Tax Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 26TH OF JANUARY 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 Imhoff	11-871	Swain
State v Watson	11-1037	Wake
State v Weathers	11-1132	Mecklenburg
Vaseleniuck Engine Development, LLC v Sa...	11-870	Lincoln
Young v Kimberly-Clark Corporation, et a...	11-1020	Haywood
McK Enterprises, LLC v Levi	11-1070	McDowell
Jernigan v McLamb, et al	11-1100	Sampson
Hurley v Wal-Mart Stores, Inc., et al	11-1107	N.C. Industrial Commission