

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, 9 September 2008

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE DOUGLAS MCCULLOUGH
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 9TH OF SEPTEMBER 2008 AT 9:30 a.m.**

Benton v Hanford

08-44

Nash

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Crockett	07-1283	Mecklenburg
State v Silva	07-1345	Wake
State v Johnson	08-55	Forsyth
State v Wolfe	08-99	Buncombe
State v Coleman	08-136	Rowan
State v Ballard	08-196	Henderson
Culberson v Reo Properties Corp.	07-1546	Mecklenburg
Town Of North Topsail Beach v Forester	08-39	Onslow
Treat v Mecklenburg County	08-56	N.C. Industrial Commission
Dixon v Hill	08-124	Robeson
In The Matter Of: A.C.	08-222	Martin

Sent Date: 7 August 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 10 September 2008

PANEL NO. 3

HONORABLE JOHN M. TYSON
HONORABLE ANN MARIE CALABRIA
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008 AT 9:30 a.m.**

Cambridge Homes v Hyundai Const., et al	08-242	Mecklenburg
Edmunds v Edmunds	08-246	Columbus

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Shaffer	08-214	Johnston
State v Alston	08-230	Guilford
State v Schreiber	08-250	Guilford
State v Tanner	08-251	Wake
State v Tessnear	08-256	Rutherford
State v Kidd	08-273	Wake
Mann v Technibilt, Inc.	08-241	N.C. Industrial Commission
Littlejohn v Guilford Co. Bd. of Educ.	08-254	Guilford
New Hanover Co. Water v Thompson	08-258	New Hanover
Byrd Family v Cameron L. Smith & Son	08-263	Columbus

Sent Date: 7 August 2008

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COURT CALENDAR BY PANEL

Wednesday, 10 September 2008

PANEL NO. 4

HONORABLE WANDA G. BRYANT
HONORABLE BARBARA JACKSON
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008 AT 1:00 p.m.**

City of Wilson Redevelopment v Boykin	08-268	Wilson
Farrell v Transylvania Co. Bd. of Educ.	08-310	Transylvania

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Carlisle v CSX Transportation, Inc.	08-43	Scotland
State v Ford	08-277	Richmond
State v Tejada-Rivera	08-283	Wake
State v Evans	08-293	Columbus
State v Simpson	08-296	Mecklenburg
State v Stone	08-298	Moore
State v Jones	08-338	Wake
DOT v Blevins	08-266	Haywood
Watts v E.I. DuPont De Nemours	08-267	N.C. Industrial Commission
Town of Matthews v Wright	08-270	Mecklenburg
N.C. Department of Labor v Sutton	08-311	Wake

Sent Date: 7 August 2008

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COURT CALENDAR BY PANEL

Thursday, 11 September 2008

PANEL NO. 5

HONORABLE SANFORD STEELMAN
HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF SEPTEMBER 2008**
AT 9:30 a.m.

Jailall v NC Dept. of Public	08-352	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Gary	08-309	New Hanover
State v Williams	08-314	Henderson
State v Lawrence	08-320	Camden
State v Dean	08-344	Durham
State v Revels	08-346	Robeson
State v Murphy	08-382	Pitt
In the Matter of: Eagle's Nest	08-316	Property Tax Commission
Collins v Alex Lee, Inc.	08-335	N.C. Industrial Commission
Kuttner v Kuttner	08-342	Mecklenburg
Kemp v Knight	08-351	Cumberland
Stacy, ex rel v Merrill, et al	08-437	Alamance

Sent Date: 7 August 2008

North Carolina Court of Appeals

Court of Appeals Building
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Supplemental Calendar

Monday, 15 September 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 SEPTEMBER 2008** 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 Roberson	07-1435	Nash
State v Withers	08-85	Guilford
State v Shaw	08-97	Wake
State v Allen	08-98	Graham
State v Lopez	08-152	Buncombe
State v Kelly	08-232	Wayne
State v Oxendale	08-257	Rutherford
State v Slade	08-274	Guilford
State v Williams	08-318	Davidson
In the Matter of: A.W., A.W., M.C.	08-506	New Hanover
In Re: I.N.B., T.N.B., et al	08-536	Robeson
In The Matter Of: J.W.S.	08-576	Carteret
In The Matter Of: A.B.T.	08-588	Haywood
In The Matter Of: C.G.A.M. and J.C.M.W.	08-617	Carteret
In Re: I.T.P-L.	08-622	Duplin

Sent Date: 18 August 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Monday, 22 September 2008

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE LINDA M. MCGEE
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 22ND OF SEPTEMBER 2008**
AT 1:00 p.m.

In Re: Papathanassiou	08-95	Mecklenburg
Sunset Beach Development v Amec Inc.	08-324	Brunswick

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF SEPTEMBER 2008**. 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	08-200	Wake
State v Washington	08-217	Onslow
State v Neely	08-325	Forsyth
Turner v Custom Retail Services, Inc.	08-300	N.C. Industrial Commission
Swilling v Holland Transfer Co., Inc.	08-301	N.C. Industrial Commission
Curran v N.C. Dept. of Crime Control	08-305	N.C. Industrial Commission
Putman v Alexander	08-306	N.C. Industrial Commission
Pugh v Williams	08-322	Randolph
Thompson v Alexander	08-332	N.C. Industrial Commission
In The Matter Of: Booker	08-565	Wayne

Sent Date: 22 August 2008

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COURT CALENDAR BY PANEL

Tuesday, 23 September 2008

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE WANDA G. BRYANT
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**
AT 9:30 a.m.

Strickland v Hedrick	08-339	Forsyth
Evergreen Constr. v City of Kinston	08-390	Lenoir

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Goldston	08-340	Durham
State v Moore	08-345	Edgecombe
State v Fernandez	08-363	Mecklenburg
Coston v Smithfield Packing, Inc.	08-355	N.C. Industrial Commission
In The Matter Of: Swain	08-365	Mecklenburg
Jones v Modern Chevrolet	08-371	N.C. Industrial Commission
Elkins v Electronic Mortgage Systems	08-376	Forsyth
In The Matter Of: J.T.W.	08-383	Mecklenburg
Nuttall v Hornwood, Inc.	08-395	N.C. Industrial Commission
Stewart v Estate of Brewington	08-401	Harnett

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COURT CALENDAR BY PANEL

Tuesday, 23 September 2008

PANEL NO. 4

HONORABLE ROBERT C. HUNTER
HONORABLE RICK ELMORE
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**
AT 3:00 p.m.

State v Phair	08-326	Lee
Perry v GRP Financial Services	08-80	Forsyth

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

WAKE FOREST UNIVERSITY SCHOOL OF LAW

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Corry	08-11	Gaston
State v Lilly	08-421	Guilford
Huebner v Triangle Research	08-70	Durham
US Trust Co. v Stanford Group Co.	08-179	Mecklenburg
Baccus v N.C. Dept. Of Crime Control	08-204	N.C. Industrial Commission
Kranz v Hendrick Automotive Group	08-253	Mecklenburg
Smith v Beck	08-403	Scotland
Thomas v Herring	08-405	Guilford
Welliver McGuire v Members Interior	08-408	Mecklenburg
Town of Pinebluff v Marts	08-434	Moore

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COURT CALENDAR BY PANEL

Wednesday, 24 September 2008

PANEL NO. 3

HONORABLE SANFORD STEELMAN
HONORABLE BARBARA JACKSON
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 2008 AT 9:30 a.m.**

City of Charlotte v BMJ of Charlotte	08-147	Mecklenburg
Reese v Charlotte-Mecklenburg Board	08-397	Mecklenburg
Reese v City of Charlotte	08-398	Mecklenburg

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

UNION COUNTY OFFICE BUILDING

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 2008**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Grimes	08-425	Pitt
State v Hudgins	08-441	Guilford
State v Ingram	08-447	Nash
Powers v Tatum	08-137	Wake
Brinegar v The City of Winston-Salem	08-157	Forsyth
Dalenko v Peden General Contractors	08-170	Wake
Hodgin v Brighton	08-347	Mecklenburg
In The Matter Of: D.R.H.	08-349	Cleveland
National Railroad v City of Hamlet	08-356	Richmond

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COURT CALENDAR BY PANEL

Thursday, 25 September 2008

PANEL NO. 5

HONORABLE DOUGLAS MCCULLOUGH
HONORABLE JOHN M. TYSON
HONORABLE ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 2008**
AT 9:30 a.m.

State v Bowden	08-372	Cumberland
Egelhof v Szulik, et al	08-452	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 2008**. 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	08-406	Pasquotank
State v Davis	08-414	Burke
Floyd v Executive Personnel Group	08-439	N.C. Industrial Commission
Fisher v Anderson	08-468	Mecklenburg
Strickland v Martin Marietta Materials	08-476	N.C. Industrial Commission
Signalife, Inc. v Rubbermaid, Inc.	08-496	Mecklenburg
DeBerry v Kellogg Sales Company	08-498	Guilford
Stanfield v Metal Beverage, et al	08-513	N.C. Industrial Commission
Castaneda v International Leg Wear	08-526	N.C. Industrial Commission
Hinceman v Food Lion, et al	08-538	N.C. Industrial Commission

Sent Date: 22 August 2008

North Carolina Court of Appeals

Court of Appeals Building
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Supplemental Calendar

Monday, 29 September 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **29 SEPTEMBER 2008** 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: S.N. and X.Z.	08-624	Guilford
In Re: C.S.J., N.S., K.S., and C.M.S.	08-631	Nash
In Re: J.G.L.	08-644	Nash
In Re: D.H., et al	08-667	Rowan
In the Matter of: G.T., H.T., C.M.	08-685	Cumberland
In Re: K.T.B., Jr.	08-766	Moore

Sent Date: 10 September 2008