

# 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, 6 October 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, 6TH OF OCTOBER 2008 AT 1:00 p.m.**

Martin V NC DHHS	08-259	Buncombe
Barringer v Wake Forest University	08-269	Forsyth
Sprinkle v Lilly Industries, Inc.	08-279	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 6TH OF OCTOBER 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 Vaughan	08-158	Northampton
State v McNeill	08-228	Lee
State v Haith	08-236	Alamance
Caldon v Caldon	08-260	Orange
O'Connor v Zelinske	08-280	Lee
In Re: Thomas	08-287	Union

Sent Date: 4 September 2008

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 6 October 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 OCTOBER 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 Pinson	08-31	Guilford
State v Gomez	08-13	Mecklenburg
State v Bishop	08-46	Sampson
State v Jordan	08-54	Wayne
In The Matter Of: J.D.C.	08-121	Alamance
State v Elliott	08-139	Alamance
State v Hatcher	08-162	Johnston
In the matter of: W.H.P.	08-176	Iredell
State v Smith	08-191	Johnston
State v Norwood	08-317	Mecklenburg

Sent Date: 9 September 2008

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## COURT CALENDAR BY PANEL

Tuesday, 7 October 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, 7TH OF OCTOBER 2008 AT 9:30 a.m.**

Huffman v Moore County	08-128	N.C. Industrial Commission
Wallis v Cambron	08-178	Guilford
Wallis v Cambron	08-481	Mitchell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF OCTOBER 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 McKinney	08-243	Guilford
State v Nash	08-343	Cumberland
State v Wilds	08-375	Columbus
Elder Broach Properties v McNeel	08-202	Mecklenburg
Skerrett v Skerrett	08-494	Transylvania
In The Matter Of The Estate Of: Ward	08-520	Jackson

Sent Date: 4 September 2008

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## COURT CALENDAR BY PANEL

Wednesday, 8 October 2008

### PANEL NO. 3

HONORABLE SANFORD STEELMAN  
HONORABLE BARBARA JACKSON  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF OCTOBER 2008**  
**AT 9:30 a.m.**

Edwards v GE Lighting Systems, Inc.	08-219	Henderson
Leatherman v Lincoln, et al	08-227	Lincoln
Biggers v Bald Head Island	08-249	Brunswick

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF OCTOBER 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 Morris	08-389	Wake
State v Futrell	08-416	Hertford
State v Cowan	08-470	Rowan
Lytle v Rice	08-226	Buncombe
Eakes v Eakes	08-248	Wake
Eakes v Eakes	08-290	Wake

Sent Date: 4 September 2008

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## COURT CALENDAR BY PANEL

Wednesday, 8 October 2008

### PANEL NO. 4

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF OCTOBER 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 Isenhour	08-478	Mecklenburg
State v Thomas	08-515	Greene
State v Patterson	08-518	Graham
Saavedra v Candor Hosiery Mills	08-353	N.C. Industrial Commission
Langley v Baughman	08-378	New Hanover
Brunson v Tatum	08-386	Sampson
Citibank v Bowen	08-392	Harnett
Buchanan v Gobble	08-396	Rowan
Goodson v Mafco Holdings, Inc., et al	08-415	N.C. Industrial Commission

Sent Date: 4 September 2008

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## COURT CALENDAR BY PANEL

Thursday, 9 October 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, 9TH OF OCTOBER 2008 AT 9:30 a.m.**

State v English	08-613	Burke
Cashwell v Dept. of State Treasurer	08-432	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF OCTOBER 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 Charles	08-601	Wake
State v Hussey	08-620	Nash
Ross v Ross	08-285	Carteret
Jenkins v Gillespie	08-430	Randolph
Luke v Omega Consulting Group, LC	08-521	Wake
Stojanik v R.E.A.C.H. Of Jackson Co.	08-534	Jackson
Hamilton v Norton Doors, et al	08-548	N.C. Industrial Commission

Sent Date: 4 September 2008

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 13 October 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **13 OCTOBER 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 Gardner	07-1548	Pitt
In The Matter Of: R.C.	08-130	McDowell
State v Guillen-Martinez	08-213	Rowan
State v Coggins	08-233	Jackson
State v Ronzio	08-245	Wake
State v Perry	08-278	Franklin
State v Graham	08-334	Forsyth

Sent Date: 10 September 2008

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 20 October 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 OCTOBER 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: M.R.M.	08-537	Buncombe
In The Matter Of: A.B.W. and A.F.W.	08-626	Catawba
In the Matter of: S.R., et al	08-707	Surry
In Re: A.A.P., et al	08-674	Wilkes
In Re: A.M., Ja.M., Jo.M.	08-737	Harnett
In The Matter Of: J.P., J.P., M.A.	08-816	Brunswick

Sent Date: 1 October 2008



# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 21 October 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, 21ST OF OCTOBER 2008 AT 9:30 a.m.**

Wilfong v NC DOT	08-400	Durham
Sisk v Transylvania Co. Hosp.	08-471	Transylvania
Hospira Incorporated v Alphagary Corp.	08-487	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF OCTOBER 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 Buie	07-1522	Buncombe
State v Wright	08-93	Nash
State v Smith	08-160	Wake
State v Bare	08-221	Alleghany
State v Doles	08-308	McDowell
State v Hilton	08-321	Cleveland
In The Matter Of: J.O.	08-424	Guilford
Jones v Food Lion	08-451	N.C. Industrial Commission
Ventriglia v Deese	08-457	New Hanover

Sent Date: 19 September 2008

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## COURT CALENDAR BY PANEL

Wednesday, 22 October 2008

### PANEL NO. 3

HONORABLE SANFORD STEELMAN  
HONORABLE BARBARA JACKSON  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF OCTOBER 2008**  
**AT 9:30 a.m.**

Roberts v Roberts	08-404	Guilford
Wal-Mart Stores East, Inc. v Hinton	08-450	Wake
Sam's East, Inc. v Hinton	08-453	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF OCTOBER 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 Brito	08-330	Forsyth
State v Weaver	08-354	Gaston
State v Bevill	08-368	Brunswick
State v Pope	08-440	New Hanover
State v Durham	08-464	Wake
State v McNair	08-469	Nash
Fernandez v Mizpah Healthcare, et al	08-394	N.C. Industrial Commission
MSC Industrial Direct Co. v Steele	08-418	Union
Rutherford v General Insurance Co.	08-422	Mecklenburg

Sent Date: 19 September 2008

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## COURT CALENDAR BY PANEL

Wednesday, 22 October 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 **WEDNESDAY, 22ND OF OCTOBER 2008**  
**AT 1:00 p.m.**

Boyce & Isley, PLLC v Cooper	08-313	Wake
US Trust Co., N.A. v Burkett, et al	08-472	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF OCTOBER 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 Hodges	08-474	Guilford
State v Matthews	08-475	Mecklenburg
State v McLean	08-479	Wake
State v Ryder	08-489	Mecklenburg
State v Herrera	08-491	Durham
State v Ubeda	08-497	Mecklenburg
Quesinberry v Quesinberry	08-239	Surry
McKoy v Beasley	08-369	Bladen
Hoots v Hoots	08-385	Henderson
Jones v Skelley	08-387	Brunswick

Sent Date: 19 September 2008

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## COURT CALENDAR BY PANEL

Thursday, 23 October 2008

### PANEL NO. 5

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF OCTOBER 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 Gamble	08-502	Forsyth
State v Smith	08-533	Lenoir
State v Coffin	08-539	Durham
State v Williams	08-554	Pender
Weeks v Select Homes, Inc.	08-480	Alleghany
Cornett v Watauga Surgical Group	08-485	Watauga
Taylor v Hospice of Henderson Co., Inc.	08-530	Buncombe
Morrison v Goodyear Tire & Rubber Co.	08-572	N.C. Industrial Commission
Cumbo v Cumbo	08-574	Beaufort
Wiggs v Peedin	08-578	Wayne

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 27 October 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **27 OCTOBER 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 Hooker	08-261	Guilford
State v Benton	08-295	Wayne
State v Morrison	08-299	Catawba
State v Martin	08-366	Cleveland
State v Foster	08-466	Beaufort
State v Chapman	08-488	Guilford
State v Eastwood	08-508	Alamance
In The Matter Of: D.R.	08-542	Durham

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## COURT CALENDAR BY PANEL

Thursday, 30 October 2008

### PANEL NO. 5

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 30TH OF OCTOBER 2008 AT 2:00 p.m.**

State v Conway	08-106	Onslow
State v Wooten	08-734	Greene

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

**CAMPBELL LAW SCHOOL**