

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 3 November 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **3 NOVEMBER 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 Re: J.N.H.                       | 08-738 | Cabarrus   |
| In Re: A.N.J.H. and L.A.J.H.        | 08-740 | Gaston     |
| In The Matter Of: H.P., et al       | 08-776 | Henderson  |
| In The Matter Of: N.M.D. and L.M.D. | 08-862 | Beaufort   |
| In The Matter Of: L.H., A.B., S.W.  | 08-882 | Buncombe   |
| In The Matter Of: J.Y. and N.Y.     | 08-900 | Cumberland |

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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, 17 November 2008

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE JAMES A. WYNN, JR.  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 17TH OF NOVEMBER 2008 AT 1:00 p.m.**

|   |        |             |
|---|--------|-------------|
| State v Morse                           | 08-663 | Guilford    |
| Charlotte Motor Speedway v Tindall Corp | 08-600 | Mecklenburg |
| Carolina Photography, Inc. v Hinton     | 08-609 | Lincoln     |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 17TH OF NOVEMBER 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 Jordan                  | 08-637 | Guilford                   |
| State v Rowe                    | 08-639 | Wayne                      |
| State v Harris                  | 08-641 | Graham                     |
| State v Holmes                  | 08-646 | Brunswick                  |
| State v Best                    | 08-659 | Sampson                    |
| Williams v Bird                 | 08-594 | Rowan                      |
| In Re: W.W. Jarvis & Sons       | 08-605 | Currituck                  |
| Follum v NC State University    | 08-608 | Wake                       |
| Johnson v Thomasville Furniture | 08-610 | N.C. Industrial Commission |

Sent Date: 15 October 2008

# North Carolina Court of Appeals

Court of Appeals Building  
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## Supplemental Calendar

Monday, 17 November 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **17 NOVEMBER 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 Sullivan         | 08-264 | Henderson   |
| State v Tallent          | 08-359 | Macon       |
| State v Scott            | 08-384 | Cabarrus    |
| In the Matter of: J.J.   | 08-456 | Mecklenburg |
| State v Nelson           | 08-490 | Forsyth     |
| In the Matter of: T.P.   | 08-495 | Mecklenburg |
| State v Brannon          | 08-514 | Mecklenburg |
| In the Matter of: B.C.S. | 08-573 | Davidson    |
| State v Jenning          | 08-598 | Orange      |
| State v Berry            | 08-262 | Wake        |
| State v Moody            | 08-294 | Northampton |
| State v Bailey           | 08-307 | Johnston    |
| State v Slade            | 08-367 | Guilford    |
| Duncan v Duncan          | 08-374 | Macon       |
| State v Cox              | 08-381 | Cherokee    |
| State v Allison          | 08-461 | Guilford    |
| State v Booe             | 08-482 | Davie       |
| State v Monroe           | 08-570 | Guilford    |
| Hawkins v Williams       | 08-632 | Vance       |
| State v Grier            | 08-84  | Granville   |
| State v Caviness         | 08-212 | Guilford    |
| State v Villarreal       | 08-244 | Forsyth     |
| State v Silver           | 08-291 | Pitt        |
| State v Grant            | 08-292 | Mecklenburg |
| State v Brewer           | 08-303 | Buncombe    |
| State v Sparks           | 08-319 | Caldwell    |
| State v Hammonds         | 08-350 | Robeson     |

## North Carolina Court of Appeals

|                          |        |             |
|--------------------------|--------|-------------|
| State v House            | 08-377 | Forsyth     |
| State v Hicks            | 08-393 | Gaston      |
| State v Watson           | 08-315 | Johnston    |
| State v Cloud            | 08-555 | Forsyth     |
| State v Payne            | 08-563 | Henderson   |
| State v Robbs            | 08-621 | Buncombe    |
| State v Stovall          | 08-678 | Iredell     |
| In The Matter Of: T.P.   | 08-649 | Mecklenburg |
| In the Matter of: C.B.G. | 08-668 | Mecklenburg |
| State v Gionet           | 08-723 | Harnett     |

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## COURT CALENDAR BY PANEL

Wednesday, 19 November 2008

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE WANDA G. BRYANT  
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF NOVEMBER 2008 AT 9:30 a.m.**

|   |        |             |
|---|--------|-------------|
| Sugar Creek v Charlotte-Mecklenburg Bd. | 08-516 | Mecklenburg |
| Shelton v Steelcase, Inc.               | 08-560 | Henderson   |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF NOVEMBER 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 Jacobs                         | 08-564 | Guilford    |
| State v Reid                           | 08-575 | Forsyth     |
| State v Ware                           | 08-581 | Mecklenburg |
| State v Adu                            | 08-582 | Guilford    |
| State v Kuegel                         | 08-587 | New Hanover |
| State v Fuller                         | 08-589 | Onslow      |
| Aspen Investment Co. v River Gate, LLC | 08-271 | Catawba     |
| DOT v Haywood Oil Company              | 08-420 | Haywood     |
| Worthy v Ivy Community Center, et al   | 08-458 | Durham      |
| NC Farm Bureau, et al v Sematoski      | 08-553 | Wilkes      |

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## COURT CALENDAR BY PANEL

Wednesday, 19 November 2008

### PANEL NO. 4

HONORABLE ROBERT C. HUNTER  
HONORABLE RICK ELMORE  
HONORABLE BARBARA JACKSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF NOVEMBER 2008 AT 1:00 p.m.**

|   |        |      |
|---|--------|------|
| Daily Express, Inc. v NC Dept. of Crime | 08-562 | Wake |
| Earthmovers Equip. v NC Dept. of Crime  | 08-693 | Wake |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF NOVEMBER 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 Butler                       | 08-428 | Forsyth                    |
| State v Fleming                      | 08-433 | Mecklenburg                |
| State v Stallings                    | 08-500 | Nash                       |
| State v Brewington                   | 08-501 | Wake                       |
| State v Bunch                        | 08-558 | Pasquotank                 |
| State v Smith                        | 08-559 | Wake                       |
| Holt v Pete Wall Plumbing            | 08-579 | N.C. Industrial Commission |
| Triton Industries, Inc. v Riverwalk  | 08-583 | Macon                      |
| Brown v Kindred Nursing Centers East | 08-584 | Hertford                   |
| In The Matter Of: J.D.B.             | 08-593 | Wake                       |

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## COURT CALENDAR BY PANEL

Thursday, 20 November 2008

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 20TH OF NOVEMBER 2008**  
**AT 9:30 a.m.**

|                                     |        |             |
|-------------------------------------|--------|-------------|
| State v Bare                        | 08-818 | Wilkes      |
| Gaskin v J.S. Proctor Company, LLC  | 08-732 | Mecklenburg |
| NC Baptist Hospital v Novant Health | 08-747 | Davie       |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 20TH OF NOVEMBER 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 Mitchell                        | 08-666 | Wake         |
| State v Cherry                          | 08-677 | Pitt         |
| State v Martin                          | 08-687 | Wayne        |
| State v Hollars                         | 08-706 | Watauga      |
| State v Varas                           | 08-725 | Transylvania |
| Faulkenbury v Faulkenbury               | 08-682 | New Hanover  |
| Eason v Cleveland Draft House, LLC      | 08-684 | Johnston     |
| Hendrix v Advanced Metal Corporation    | 08-736 | Pitt         |
| Scott & Jones, Inc. v Carlton Insurance | 08-745 | Duplin       |

Sent Date: 15 October 2008

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 24 November 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **24 NOVEMBER 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: J.C.                 | 08-727 | Brunswick   |
| In the Matter of: A.M.                 | 08-808 | Guilford    |
| In The Matter Of: J.T.F. and S.L.F.    | 08-814 | Caldwell    |
| In The Matter Of: T.L.A., E.A., T.R.A. | 08-880 | Mecklenburg |
| In The Matter Of: C.S.B.               | 08-881 | Yadkin      |
| In The Matter Of: V.M.C.               | 08-934 | Gaston      |
| In Re: B.M.A.                          | 08-454 | Burke       |
| In Re: J.M.E.                          | 08-821 | Harnett     |
| In the Matter of: T.D.K., et al        | 08-807 | Guilford    |
| In The Matter Of: K.E., Jr.            | 08-825 | Buncombe    |
| In The Matter Of: D.N.                 | 08-870 | Mecklenburg |
| In The Matter Of: A.K., et al          | 08-905 | Wilson      |

Sent Date: 3 November 2008