

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, 5 May 2009

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE BARBARA JACKSON
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 5TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-----------------------------------|---------|--------------|
| State v Christian | 08-827 | Montgomery |
| State v Savage | 08-1217 | Forsyth |
| State v Flint | 08-1235 | New Hanover |
| Jackson v Culbreth | 08-1079 | Mecklenburg |
| Steinkrause v Tatum | 08-1080 | Wake |
| Hudson v Lail | 08-1126 | Transylvania |
| Sluder v Sluder | 08-1188 | Buncombe |
| Helms v Landry | 08-1256 | Mecklenburg |
| Powell v City of Newton | 08-1262 | Catawba |
| In The Matter Of: B.G. | 08-1448 | Durham |
| In The Matter Of: C.M. and M.H.M. | 08-1551 | Cumberland |
| In Re: N.E.L. | 08-1573 | Robeson |

Sent Date: 2 April 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 6 May 2009

PANEL NO. 3

HONORABLE LINDA M. MCGEE
HONORABLE ROBERT C. HUNTER
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF MAY 2009 AT 9:30 a.m.**

| | | |
|-----------------------------------|---------|------|
| Hensley v NC Dept. of Environment | 08-1307 | Wake |
|-----------------------------------|---------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|----------------------------|---------|----------------------------|
| State v Lark | 08-1239 | Stokes |
| State v Rice | 08-1282 | Rowan |
| State v Grosholz | 08-1365 | Brunswick |
| Midgett v Food Lion, LLC | 08-1268 | N.C. Industrial Commission |
| Melvin v A.A. Melvin, Inc. | 08-1283 | N.C. Industrial Commission |
| Plomaritis v Plomaritis | 08-1303 | Guilford |
| Spears v Tyson Foods, Inc. | 08-1320 | N.C. Industrial Commission |
| Watts v Winford | 08-1343 | Mecklenburg |
| In Re: E.M.C. and P.A.C. | 08-1583 | Cabarrus |
| In Re: J.B. | 09-21 | Moore |
| In The Matter Of: N.M.W. | 09-39 | Wayne |

Sent Date: 2 April 2009

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COURT CALENDAR BY PANEL

Wednesday, 6 May 2009

PANEL NO. 4

HONORABLE RICK ELMORE
HONORABLE DONNA STROUD
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|----------------------------|
| State v Chaudhary | 08-1399 | Forsyth |
| State v Henderson | 08-1409 | Wake |
| State v Wade | 08-1414 | Alamance |
| Hensey v Hennessy | 08-1277 | Onslow |
| Morris v Southeastern Orthopedics | 08-1372 | Durham |
| Professional Vending v Sifen | 08-1383 | Brunswick |
| Feierstein v N.C. Dept. of Environment | 08-1396 | N.C. Industrial Commission |
| Yarbrough Transfer Co. v Beatty | 08-1438 | Forsyth |
| Carolina Forest Assoc. v White | 08-1445 | Mecklenburg |
| In Re: D.R. | 09-51 | Rowan |
| In The Matter Of: H.D.F., H.C., A.F. | 09-53 | Orange |
| In The Matter Of: L.S.C-W. | 09-54 | Mecklenburg |

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COURT CALENDAR BY PANEL

Thursday, 7 May 2009

PANEL NO. 5

HONORABLE WANDA G. BRYANT
HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 7TH OF MAY 2009 AT 9:30 a.m.**

| | | |
|---|---------|----------|
| Craft Development v County of Cabarrus | 08-1524 | Cabarrus |
| Mardan IV, LLC v County of Cabarrus | 08-1525 | Cabarrus |
| Lanvale Properties v County of Cabarrus | 08-1526 | Cabarrus |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 7TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--------------------------------------|---------|-------------|
| State v Thomas | 08-1449 | Guilford |
| State v Taylor | 08-1467 | McDowell |
| State v Leskiw | 08-1494 | Pitt |
| Marzec v Nye | 08-1451 | New Hanover |
| Oliver v County Of Lenoir, et al | 08-1483 | Lenoir |
| Ward v Jett Properties, LLC | 08-1508 | Forsyth |
| In The Matters Of: B.J.M. and B.N.M. | 09-77 | Wilkes |
| In Re: J.M.M. and P.L.M. | 09-80 | Harnett |
| In The Matter Of: A.O.S. | 09-126 | Columbus |

Sent Date: 2 April 2009

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COURT CALENDAR BY PANEL

Monday, 18 May 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 18TH OF MAY 2009.** 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

08-1350

Haywood

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COURT CALENDAR BY PANEL

Monday, 18 May 2009

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE LINDA STEPHENS
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 18TH OF MAY 2009.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Nance | 09-12 | Randolph |
| State v Spann | 09-32 | Burke |
| State v Adams | 09-40 | Gaston |
| State v Rouse | 09-56 | Lenoir |
| State v Middleton | 09-64 | Wayne |
| State v Collins | 09-87 | Montgomery |
| In the Matter of: J.B. | 08-1590 | Durham |
| Jones v Steve Jones Auto Group | 08-1593 | N.C. Industrial Commission |
| Baker Construction v City of Burlington | 09-13 | Alamance |
| Stanford, et al v Paris, et al | 09-19 | Orange |
| Gay v City of Rocky Mount | 09-33 | Edgecombe |
| Commercial Credit Group v Barber | 09-42 | Pitt |

Sent Date: 17 April 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Tuesday, 19 May 2009

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 19TH OF MAY 2009 AT 9:30 a.m.**

| | | |
|--------------------------------------|---------|----------|
| State v Chandler | 08-1601 | Buncombe |
| Metcalf v Black Dog Realty, LLC | 08-1561 | Buncombe |
| In The Matter Of The Will Of: Turner | 08-1564 | Haywood |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 19TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-------------------------------------|---------|-----------|
| State v Wilson | 08-1536 | Guilford |
| State v Amos | 08-1540 | Durham |
| State v Carter | 08-1545 | Guilford |
| State v White | 08-1558 | Guilford |
| State v Simmons | 08-1560 | Brunswick |
| Moores v Greensboro Minimum Housing | 08-1557 | Guilford |
| Unifund CCR Partners v Dover | 08-1566 | Gaston |
| In the Matter of: M.L.T.H. | 08-1569 | Nash |
| McDonald v Biltmore Homes, LLC | 08-1575 | Durham |

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COURT CALENDAR BY PANEL

Wednesday, 20 May 2009

PANEL NO. 3

HONORABLE LINDA M. MCGEE
HONORABLE BARBARA JACKSON
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF MAY 2009 AT 9:30 a.m.**

| | | |
|----------------------------------|---------|----------|
| Woods v Moses Cone Health System | 08-1556 | Guilford |
|----------------------------------|---------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Phillips | 08-1512 | Wake |
| State v Bohler | 08-1515 | Moore |
| State v Anderson | 08-1523 | Wilkes |
| State v Miller | 08-1530 | Rutherford |
| State v Worley | 08-1532 | Buncombe |
| State v Gary | 08-1535 | Durham |
| Blow v DSM Pharmaceuticals, Inc. | 08-1500 | Pitt |
| Daily Express, Inc. v Beatty | 08-1509 | Wake |
| Granville v Yeddo, et al | 08-1539 | Brunswick |
| Denning v Interstate Brands Corporation | 08-1544 | N.C. Industrial Commission |
| Decker v Homes, Inc., et al | 08-1553 | Buncombe |

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COURT CALENDAR BY PANEL

Wednesday, 20 May 2009

PANEL NO. 4

HONORABLE ROBERT C. HUNTER
HONORABLE SANFORD STEELMAN
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF MAY 2009 AT 1:00 p.m.**

| | | |
|------------------------------|---------|-------------|
| State v Umanzor and Carranza | 08-1476 | Mecklenburg |
| Carson v Carson | 08-1462 | Wake |
| In The Matter Of: Webber | 08-1488 | Cleveland |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-------------------------------|---------|-------------|
| State v Rainey | 08-1466 | Rowan |
| State v Battle | 08-1492 | Wayne |
| State v Robinson | 08-1495 | Cumberland |
| State v Porter | 08-1497 | Mecklenburg |
| State v Johnson | 08-1499 | Harnett |
| Bass v Bass | 08-1455 | Brunswick |
| Nguyen, et al v Taylor, et al | 08-1469 | Guilford |
| Lindsey v Lindsey | 08-1475 | New Hanover |
| Elliott v Elliott | 08-1493 | Alamance |

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COURT CALENDAR BY PANEL

Thursday, 21 May 2009

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 21ST OF MAY 2009 AT 9:30 a.m.**

State Employees v NC Dept. of State

08-1326

Wake

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COURT CALENDAR BY PANEL

Thursday, 21 May 2009

PANEL NO. 5

HONORABLE WANDA G. BRYANT
HONORABLE ANN MARIE CALABRIA
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 21ST OF MAY 2009 AT 9:30 a.m.**

| | | |
|---|---------|--------|
| State v Wright | 08-1392 | Wake |
| Coucoulas/Knight v Town of Hillsborough | 08-1087 | Orange |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 21ST OF MAY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|----------------------------|
| State v Williams | 08-1182 | Durham |
| State v Marlow | 08-1258 | Brunswick |
| State v Willis | 08-1259 | Pender |
| State v Brown | 08-1370 | Surry |
| State v Bandon | 08-1428 | Caldwell |
| Michael v Michael | 08-1378 | Pasquotank |
| Cannizzaro v Food Lion | 08-1381 | N.C. Industrial Commission |
| Carroll v Triangle Grading | 08-1412 | N.C. Industrial Commission |
| Boundary Dispute v R.L. Wallace Const. | 08-1453 | Cabarrus |

Sent Date: 17 April 2009