

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>

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 |

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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 |

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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 |

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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 |

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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 |