

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 4 May 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **4 MAY 2009** 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.

Johnson v Wright	08-1093	Guilford
State v Dunston	08-1130	Granville
State v Swann	08-1195	Mecklenburg
State v Estrada	08-1293	Mecklenburg
State v Walker	08-1319	Mecklenburg
State v Reynolds	08-1375	Buncombe
State v Willoughby	08-1416	Onslow
State v Brooks	08-886	Cleveland
State v Polk	08-999	Union
State v Walker	08-965	Gaston
State v Clifton	08-1097	Guilford
State v Haskins	08-1202	Rowan
State v Williams	08-1228	Hoke
State v Watson	08-1241	Forsyth
In The Matter Of: T.T.P.	08-1240	New Hanover
State v Wilcox	08-1272	Craven
State v Fuller	08-1295	Carteret

Sent Date: 2 April 2009

# 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>

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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
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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

Sent Date: 2 April 2009

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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

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 11 May 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **11 MAY 2009** 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: P.R. and H.R.	08-1504	Orange
In Re: B.C., B.C.2., J.B., J.D.	08-1513	Scotland
In The Matter Of: J.D.L.	09-25	Craven
In The Matter Of: C.F.S. and J.D.S.	09-47	Forsyth
In The Matter Of: D.D., et al	09-60	Mecklenburg
In The Matters Of: M.L.V and Z.A.V.	09-198	Burke

Sent Date: 16 April 2009

# North Carolina Court of Appeals

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

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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

# North Carolina Court of Appeals

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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

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

## Supplemental Calendar

Monday, 18 May 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **18 MAY 2009** 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 Blinderman	08-824	Henderson
State v Brown	08-1142	Forsyth
State v Chance	08-1362	Moore
State v Austin	08-1382	Beaufort
State v Newsome	08-1430	Northampton
State v Parker	08-1470	Cleveland
State v Hudson	08-1481	Wake
State v Eldridge	08-1219	Forsyth
State v Bailey	08-1328	Wilson
State v Stallings	08-1379	Union
State v Holmes	08-1421	Cumberland
State v Coon	08-1501	Wilkes
State v Studivent	08-1507	Guilford
Guardado, et al v Trade Pro, et al	08-1531	N.C. Industrial Commission
State v Knotts	08-1559	Mecklenburg
State v Fowler	08-1577	Wayne
State v Biongo	09-226	Wake

Sent Date: 15 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

Sent Date: 17 April 2009

# North Carolina Court of Appeals

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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
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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

Sent Date: 17 April 2009

# North Carolina Court of Appeals

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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

Sent Date: 17 April 2009

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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

# North Carolina Court of Appeals

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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

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 25 May 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **25 MAY 2009** 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: C.M.R., L.C.R., B.G.R.	09-117	Union
In The Matter Of: A.B.E.	09-137	Chatham
In The Matter Of: T.P., M.P., K.P.	09-143	Warren
In The Matter Of: J.B.G., III, et al	09-177	Iredell
In The Matters Of: A.D.T. and D.R.T.	09-209	Gaston
In The Matter Of: D.J.C.	09-242	Lincoln

Sent Date: 4 May 2009