

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Monday, 8 June 2009

PANEL NO. 1

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 8TH OF JUNE 2009 AT 1:00 p.m.**

| | | |
|--|---------|-----------------------------------|
| James v Bledsoe | 08-1386 | Guilford |
| Mission Hospitals, Inc. v NC Radiation | 08-1478 | N.C. Dept. of Health & Human Svcs |
| In The Matter Of: IBM Credit Corp. | 08-1514 | Property Tax Commission |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 8TH OF JUNE 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 Brown | 08-1095 | Edgecombe |
| State v Hill | 08-1220 | Haywood |
| State v Long | 08-1267 | Onslow |
| State v Basnight | 08-1457 | Washington |
| State v Cross | 08-1474 | Robeson |
| State v Louis | 08-1502 | Wake |
| Bowles Automotive v NC Div. of Motor | 08-1411 | Iredell |
| Dobson v The Salvation Army | 08-1425 | N.C. Industrial Commission |
| McFarland v Peedin | 08-1472 | Johnston |

Sent Date: 8 May 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 8 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **8 JUNE 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 Davis | 08-1252 | Halifax |
| State v Helms | 08-1323 | Rowan |
| State v Morgan | 08-1342 | Guilford |
| State v Mobley | 08-1415 | Mecklenburg |
| State v Jackson | 08-1434 | Mecklenburg |
| State v Peeler | 08-1450 | Guilford |
| State v Ward | 08-1465 | Watauga |
| State v Cauthen | 08-1527 | Forsyth |
| State v Catoe | 08-1541 | Mecklenburg |
| State v Coleman | 09-105 | Orange |
| In The Matter Of: Q.T.H. and W.L.R. | 09-134 | Iredell |
| In The Matter Of: J.V. and M.V. | 09-213 | Stokes |
| In The Matter Of: N.M. | 09-218 | Buncombe |
| In Re: S.D.B. | 09-233 | Stokes |
| In Re: I.H. and E.H. | 09-244 | Harnett |
| In The Matter of: D.B.J. | 09-320 | Yadkin |

Sent Date: 11 May 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Tuesday, 9 June 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, 9TH OF JUNE 2009 AT 9:30 a.m.**

| | | |
|---------------------------------------|---------|-------------|
| State v Lewis | 08-1595 | Avery |
| State v Yencer | 09-1 | Mecklenburg |
| Bath Catnip Point Farm v Town of Bath | 08-1547 | Beaufort |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF JUNE 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 Remley | 08-1529 | Pitt |
| State v Hairston | 08-1579 | Forsyth |
| State v Jones | 08-1582 | Wayne |
| State v Gonzalez | 08-1591 | Mecklenburg |
| Town of Maiden v Lincoln County | 08-1518 | Catawba |
| Drake v Asti | 08-1537 | Union |
| Tanner v Columbus McKinnon Corp. | 08-1552 | N.C. Industrial Commission |
| Hewett v Weisser | 08-1563 | Brunswick |
| Reynolds v Riggs | 08-1585 | Pamlico |

Sent Date: 8 May 2009

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 10 June 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, 10TH OF JUNE 2009 AT 9:30 a.m.**

| | | |
|-------------------------------------|-------|-------------|
| Bailey And Assoc. v Wilmington BOA | 09-18 | New Hanover |
| Union Land Owners v County of Union | 09-35 | Union |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF JUNE 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 Horton | 09-7 | Burke |
| State v. Rackley | 09-15 | Pitt |
| State v Hodges | 09-17 | Forsyth |
| State v Wood | 09-29 | Bertie |
| State v Gaskins | 09-43 | Mecklenburg |
| State v Cloer | 09-44 | Caldwell |
| Williams v Craft Development, LLC | 09-3 | Stanly |
| Yarborough v Pierce Trailer Service | 09-4 | N.C. Industrial Commission |
| MacDonald v Bank of America Corp. | 09-26 | Guilford |
| Ikechukwu v Ikechukwu | 09-46 | Durham |

Sent Date: 8 May 2009

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COURT CALENDAR BY PANEL

Wednesday, 10 June 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, 10TH OF JUNE 2009 AT 1:00 p.m.**

| | | |
|-----------------------------------|-------|-------------|
| State v Melvin | 09-62 | Onslow |
| Kornegay v Aspen Asset Group, LLC | 09-71 | Mecklenburg |
| Harrison v City of Sanford | 09-82 | Lee |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF JUNE 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 Parrish | 09-50 | Buncombe |
| State v Clark | 09-63 | Cleveland |
| State v Hargrave | 09-85 | Cabarrus |
| State v McClary | 09-102 | Wayne |
| State v McRae | 09-114 | Robeson |
| Stutts v The Travelers Indemnity Co. | 09-52 | Cumberland |
| Nale v Ethan Allen | 09-55 | N.C. Industrial Commission |
| Johnson v Nash Community College | 09-57 | Nash |
| Irwin, et al v Sutton, et al | 09-68 | Haywood |

Sent Date: 8 May 2009

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COURT CALENDAR BY PANEL

Thursday, 11 June 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, 11TH OF JUNE 2009 AT 9:30 a.m.**

| | | |
|--------------------------------|-------|----------------------------|
| Douglas v Streuli Sales, Inc. | 09-84 | N.C. Industrial Commission |
| Albert, ex rel v Cowart, et al | 09-93 | Henderson |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF JUNE 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 McLeod | 09-136 | Wake |
| State v Holcombe | 09-147 | Buncombe |
| State v Faulk | 09-148 | Columbus |
| State v McNair | 09-152 | Cumberland |
| State v Mirjah | 09-192 | Wilkes |
| State v Mueller | 09-219 | Hoke |
| Richardson v NC Dept. of Public Inst. | 09-83 | Mecklenburg |
| Jennings v City of Fayetteville | 09-92 | Cumberland |
| Anthony v Continental Tire | 09-99 | N.C. Industrial Commission |
| Slight v Slight | 09-107 | Nash |

Sent Date: 8 May 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 15 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 JUNE 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 McQueen | 08-1484 | Guilford |
| State v Boswell | 09-14 | Columbus |
| State v Hansley | 09-91 | Pender |
| State v McNair | 09-103 | Gaston |
| State v Gamble | 09-113 | Forsyth |
| State v Johnson | 09-146 | Forsyth |
| State v Justice | 09-151 | Moore |
| State v Graves | 09-200 | Alamance |
| State v Richardson | 09-266 | Alleghany |

Sent Date: 13 May 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Tuesday, 16 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **16 JUNE 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.

| | | |
|----------------------------------|---------|-------------|
| Grafton v Washington Mutual Bank | 08-1035 | Durham |
| State v Rhinehardt | 08-1330 | Cabarrus |
| State v Freeland | 08-1388 | Cumberland |
| State v Traub | 08-1464 | Watauga |
| State v Ogburn | 08-1516 | Union |
| State v Dixon | 08-1550 | Mecklenburg |
| State v Ferguson | 08-1568 | Haywood |
| State v Patterson | 08-1571 | Anson |
| State v Jones | 09-20 | Gaston |

Sent Date: 15 May 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Wednesday, 17 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **17 JUNE 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 McNeil | 08-1284 | Union |
| Souther v Souther | 08-1341 | New Hanover |
| State v Johnson | 08-1479 | Wake |
| State v Williams | 08-1570 | Henderson |
| State v Smalls | 08-1574 | Guilford |
| Ricks v Davis | 08-1600 | Nash |
| State v Jones | 09-45 | Mecklenburg |
| State v Miller | 09-66 | Guilford |
| State v Durham | 09-78 | Forsyth |
| State v Turner | 09-76 | Mecklenburg |

Sent Date: 15 May 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 22 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **22 JUNE 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: S.J.F.P. | 09-186 | Harnett |
| In Re: S.C. | 09-243 | Harnett |
| In The Matter Of: F.A.C. | 09-258 | Randolph |
| In The Matter Of: C.M.W. | 09-295 | Guilford |
| In The Matter Of: K.P.M., et al | 09-340 | Buncombe |
| In The Matter Of: K.H. | 09-405 | Johnston |

Sent Date: 3 June 2009

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 29 June 2009

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **29 JUNE 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: S.W. and D.W. | 09-178 | Mecklenburg |
| In Re: K.W. and J.W. | 09-256 | Lee |
| In The Matter Of: R.D.F., et al | 09-283 | Mecklenburg |
| In The Matter Of: A.E.B.R. | 09-285 | Randolph |
| In Re: K.G. | 09-287 | Harnett |
| In The Matter Of: S.C.H. | 09-363 | Brunswick |

Sent Date: 8 June 2009