

# 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

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 ON **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 ON **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 ON **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 ON **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 ON **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 ON **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