

# 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, 10 February 2009

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE ROBERT C. HUNTER  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 2009 AT 9:30 a.m.**

In The Matter Of: NC IDEA	08-561	Wake
Brown, et al v Meter, et al	08-944	Onslow
Turner v City of Greenville	08-630	Pitt

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 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 Wolfe	08-38	Alamance
State v Miller	08-650	New Hanover
State v Boggess	08-746	Durham
In the Matter of: K.H.	08-528	Durham
Franco v Liposcience, Inc.	08-785	Wake
Adams v Winston-Salem/Forsyth County	08-815	N.C. Industrial Commission
Dalenko v Monroe	08-844	Wake
Shore Acres Co. v Town of Wrightsville	08-919	New Hanover
Northwest Property v Town of Carrboro	08-929	Orange
White v Thompson	08-953	Columbus

Sent Date: 9 January 2009

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## COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE BARBARA JACKSON  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**  
**AT 9:30 a.m.**

Hudgins v Wagoner	08-1004	Alamance
North Iredell Neighbors v Iredell Co.	08-1010	Iredell
North Iredell Neighbors v Iredell Co.	08-1068	Iredell

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State v Castaneda	08-790	Forsyth
State v Keaton	08-840	Mecklenburg
State v Rush	08-871	Guilford
Fletcher v Bowser	08-958	Forsyth
Griffith v NC Dept. of Correction	08-966	Anson
In The Matter Of: S.M.S.	08-970	Pitt
Northland Cable v Highlands Cable Group	08-997	Macon
Hejl v Hood Hargett & Associates, Inc.	08-1065	Mecklenburg
Bell Road Injury Ctr. v AllState Ins.	08-1066	Graham

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## COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**  
**AT 1:00 p.m.**

King v Beaufort Co. Bd. of Educ.	08-1038	Beaufort
Hardy v Beaufort Co. Bd. of Educ.	08-1053	Beaufort
Tonter Investments v Pasquotank Co.	08-1057	Pasquotank

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State v Morrow	08-867	Wilkes
State v Brewington	08-980	Lee
State v Gardner	08-1094	Randolph
Sykes v Moss Trucking	08-1039	N.C. Industrial Commission
Siquar USA v Wang, et al	08-1049	Catawba
Carter v Fresenius Medical Center	08-1063	N.C. Industrial Commission
Gesel v Miller Orthopaedic Clinic, Inc.	08-1077	N.C. Industrial Commission
Manitius v Guthrie	08-1083	Carteret
In The Matter Of: SAS Institute Inc.	08-1106	Property Tax Commission

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## COURT CALENDAR BY PANEL

Thursday, 12 February 2009

### PANEL NO. 5

HONORABLE SANFORD STEELMAN  
HONORABLE MARTHA A. GEER  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 2009**  
**AT 9:30 a.m.**

Ford v Paddock	08-1012	Johnston
Panos v Timco Engine Center, Inc.	08-1018	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 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 Kennedy	08-877	Lincoln
State v Webb	08-904	Union
State v Blackburn	08-914	Forsyth
First Gaston Bank v City of Hickory	08-1017	Catawba
In the Matter of: D.L.H.	08-1019	Guilford
Tallman v The City of Gastonia	08-1021	Gaston
Leggett v AAA Cooper Transportation	08-1027	Halifax
Munns v Precision Franchising, Inc.	08-1034	N.C. Industrial Commission
Asheville Sports v City of Asheville	08-1085	Buncombe
Livesay, et al v Carolina First, et al	08-1102	Henderson

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## COURT CALENDAR BY PANEL

Monday, 23 February 2009

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE JAMES A. WYNN, JR.  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 2009 AT 1:00 p.m.**

DOT v Marston Baptist Church, Inc.	08-856	Richmond
NC Dept. of Revenue v Hudson	08-945	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 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 Pone	08-656	Sampson
State v Hinton	08-758	Mecklenburg
State v Koonce	08-777	Lenoir
State v Sadler	08-843	Gaston
State v Young	08-872	Wake
State v Ward	08-978	New Hanover
Lynn-Cliff, Inc. v Poole	08-741	Pender
Battle v Sabates	08-860	Mecklenburg
Berardi v Craven Co. School District	08-920	N.C. Industrial Commission
Pait v Southeastern Regional	08-955	N.C. Industrial Commission
State v Carr	08-1337	Cabarrus

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## COURT CALENDAR BY PANEL

Tuesday, 24 February 2009

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE MARTHA A. GEER  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 2009 AT 9:30 a.m.**

Craig v Sandy Creek Condominium, et al	08-1048	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 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 Chandler	08-885	Chatham
State v Trombley	08-947	Mitchell
State v Bell	08-959	Gaston
State v Cotton	08-984	Rowan
State v Witherspoon	08-1003	Iredell
State v Woods	08-1006	Alamance
Connette v Jones	08-981	Brunswick
Hardin v KCS International, Inc.	08-996	New Hanover
Wein II, LLC v Porter, et al	08-1033	Buncombe
Brock & Scott Holdings, Inc. v West	08-1051	Pender

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## COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE ANN MARIE CALABRIA  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**  
**AT 9:30 a.m.**

State v Nicholson	08-1007	Durham
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 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 Black	08-1009	Durham
State v Bettie	08-1015	Clay
State v Morton	08-1020	Person
State v Quick	08-1023	Guilford
State v Giddings	08-1032	Buncombe
Henson v Green Tree Servicing, LLC	08-1074	Henderson
Hicks v Dunn-Benson Ford, Inc.	08-1088	Sampson
Raper v Mansfield Systems, Inc.	08-1099	N.C. Industrial Commission
Williamson v Blounts Bay Land Co., LLC	08-1105	Beaufort
Belviso v Rosenke	08-1107	Pasquotank
Harbin Yinhai v Greentree Financial	08-1115	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

### PANEL NO. 4

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**  
**AT 1:00 p.m.**

Martini v Companion Property	08-1127	Wake
Bumpers v Community Bank	08-1135	Wake

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State v Vincent	08-1137	Northampton
State v Burns	08-1181	Wake
State v Osorio	08-1199	Forsyth
State v Rinehart	08-1209	Forsyth
State v Allen	08-1213	Randolph
State v Frady	08-1215	Buncombe
Garner v Smith	08-1117	Carteret
West Durham Lumber v SunTrust Bank	08-1136	Durham
Griessel v Tamas Eye Center, P.C.	08-1139	Forsyth
Lassiter v Town of Selma	08-1148	N.C. Industrial Commission



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## COURT CALENDAR BY PANEL

Thursday, 26 February 2009

### PANEL NO. 5

HONORABLE BARBARA JACKSON  
HONORABLE LINDA STEPHENS  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF FEBRUARY 2009**  
**AT 9:30 a.m.**

Noble v Hooters of Greenville	08-1144	Greene
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State v Rivens	08-1042	Mecklenburg
State v Taylor	08-1045	Mecklenburg
State v Rose	08-1050	New Hanover
State v Kotecki	08-1070	Forsyth
State v Majett	08-1076	Forsyth
State v Largent	08-1108	Watauga
Tands, Inc. v Coastal Plains Realty	08-1143	Lenoir
Mosler v Druid Hills Land Co., Inc.	08-1146	Henderson
Plummer v Plummer	08-1158	Gaston
Catawba County v Wyant	08-1159	Catawba
Fairway Outdoor Advertising v Edwards	08-1172	Cabarrus