

# 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

Tuesday, 1 December 2009

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE ANN MARIE CALABRIA  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 1ST OF DECEMBER 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 Weber	09-698	Henderson
State v Bautista	09-711	Catawba
State v Isenhour	09-721	Cabarrus
Nix v Sony Computer	09-819	Carteret
In The Matter Of: Gregory	09-872	Forsyth
Deal v Frye Regional Medical Center, Inc...	09-873	Catawba
Channel Group, LLC v Cooper	09-874	Randolph
Nesbit v Cribbs	09-886	Macon
Southern Prestige v Independence Plating	09-888	Iredell

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## COURT CALENDAR BY PANEL

Wednesday, 2 December 2009

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF DECEMBER 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 Hinson	09-748	Cleveland
State v Anderson	09-763	Wake
State v Wheeler	09-768	Pitt
Crowley v Crowley	09-898	Mecklenburg
Owen v Haywood County, et al	09-929	Haywood
Carlton, et al v Melvin, et al	09-930	Catawba
Lyles v Turner	09-932	Polk
Leggett v AAA Cooper Transportation	09-944	N.C. Industrial Commission
In The Matter Of: Jones	09-951	Gaston

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## COURT CALENDAR BY PANEL

Wednesday, 2 December 2009

### PANEL NO. 4

HONORABLE ROBERT C. HUNTER  
HONORABLE WANDA G. BRYANT  
HONORABLE BARBARA JACKSON

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State v Mauer	09-807	Cumberland
State v Whitlock	09-824	Forsyth
State v Lewis	09-830	Surry
Wright v Town of Zebulon, et al	09-960	Wake
Fifth Third Mortgage v Miller, et al	09-961	Union
Rickman v Woodard	09-963	Jackson
Hatley v Continental General Tire	09-971	N.C. Industrial Commission
Community One Bank v Bowen	09-972	Gaston
Martin v Martin	09-984	Buncombe

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## COURT CALENDAR BY PANEL

Thursday, 3 December 2009

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 3RD OF DECEMBER 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 Mora-Avila	09-852	Mecklenburg
State v Oxendine	09-858	Rockingham
State v Dumas and Parks	09-859	Stanly
In The Matter Of The Estate: Johnson	09-993	Sampson
Crocker, et al v Griffin, et al	09-1000	Transylvania
Ji v City of Raleigh, et al	09-1026	Wake
Wirth v Wirth	09-1037	Mecklenburg
Caldwell, et al v Smith, et al	09-1040	Dare
Perez v Perez	09-1046	Moore

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## COURT CALENDAR BY PANEL

Tuesday, 8 December 2009

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE ANN MARIE CALABRIA  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF DECEMBER 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 Ellerbee	09-729	Mecklenburg
State v Ligon	09-747	Buncombe
State v Fraley	09-785	Wake
State v Lee	09-834	Guilford
State v Simpson	09-836	Anson
Short v Turner	09-618	Mecklenburg
Puckett v NC Dept. of Correction, et al	09-782	Wake
Bumgarner v Burlington Ins. Company	09-850	Swain
State v Gaddy	09-1013	Columbus

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## COURT CALENDAR BY PANEL

Wednesday, 9 December 2009

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF DECEMBER 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	09-841	Guilford
State v Fritz	09-861	Wayne
State v Simmons	09-862	Pitt
State v Hosch	09-866	Cleveland
State v Ellis	09-869	Moore
State v Wilson	09-903	Wake
Osman v Reese, et al	09-950	Guilford
Bolejack v Mobilift of Burlington	09-986	N.C. Industrial Commission
Beard v Cumberland County Hospital	09-1043	Cumberland

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## COURT CALENDAR BY PANEL

Wednesday, 9 December 2009

### PANEL NO. 4

HONORABLE ROBERT C. HUNTER  
HONORABLE WANDA G. BRYANT  
HONORABLE BARBARA JACKSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF DECEMBER 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 Parnell	09-909	Bladen
State v Richardson	09-914	Forsyth
State v Fletcher	09-926	Moore
State v Stewart	09-928	Lincoln
State v Turner	09-933	Guilford
State v Wood	09-938	Sampson
Griffith v Keller	09-1045	Anson
Hallman v NC Dept. of Corrections	09-1049	N.C. Industrial Commission
Ayerza v Cabarrus County DSS	09-1050	Cabarrus

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## COURT CALENDAR BY PANEL

Thursday, 10 December 2009

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF DECEMBER 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 King	09-952	Brunswick
State v Brewington	09-956	Wayne
State v Yow	09-967	Alamance
State v Walker	09-977	Onslow
State v Clayton	09-987	Lincoln
State v Alston	09-990	New Hanover
In The Matter Of: Church	09-1058	Ashe
Lynn v Guilford County Schools	09-1061	N.C. Industrial Commission
State of NC Dept. of Health v Thompkins	09-1137	Guilford