

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, 5 May 2014

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE SANFORD STEELMAN
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 5TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v W. | 13-1399 | Pasquotank |
| State v Mead | 14-3 | Ashe |
| State v Hall | 14-40 | Johnston |
| In re: Gilbert Moore, Jr. | 13-1397 | Granville |
| In re The Foreclosure Of: Harty | 13-1453 | Union |
| Graven, v N. Carolina Dep't of Pub. Safe... | 14-6 | N.C. Industrial Commission |
| Bank of Am., N.A. v Charlotte Prop. Invs... | 14-42 | Mecklenburg |
| Hill v Fed. Express Corp. | 14-60 | N.C. Industrial Commission |
| Lipe v Starr Davis Co., Inc., | 14-90 | N.C. Industrial Commission |

Sent Date: 14 April 2014

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COURT CALENDAR BY PANEL

Tuesday, 6 May 2014

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE ROBERT C. HUNTER
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF MAY 2014.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------|
| State v Anderson | 13-1281 | Union |
| State v Stephens | 14-8 | Forsyth |
| State v Edwards | 14-49 | Wake |
| Hunt v Durfee | 13-1443 | Iredell |
| LCA Dev., LLC v WMS Mgmt. Grp., LLC | 13-1467 | Pitt |
| Newbridge Bank v R.C. Koonts & Sons Maso... | 14-13 | Davidson |
| Truhan v Walston, | 14-43 | Wayne |
| Frankenmuth Ins. v City of Hickory | 14-70 | Catawba |
| Shepherd v NC Farm Bureau Mut. Ins. Co.,... | 14-99 | Buncombe |

Sent Date: 14 April 2014

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COURT CALENDAR BY PANEL

Wednesday, 7 May 2014

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MAY 2014 AT 9:30 a.m.**

| | | |
|---|-------|---------|
| State v Hicks | 14-57 | Lincoln |
| Lifestore Bank v Mingo Tribal Pres. Tr.,... | 14-46 | Wilkes |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Perkins | 13-1352 | Wake |
| State v Moody | 14-10 | Cabarrus |
| McKinney v Greater Gethsemane Afr. Metho... | 13-1448 | Mecklenburg |
| Wheeless v Maria Parham Med. Ctr., Inc. | 13-1475 | Vance |
| Gonzalez v Tidy Maids, Inc., | 14-18 | N.C. Industrial Commission |
| Faustin v NC Bldg. Code Council | 14-82 | Wake |
| In re The Foreclosure Of: Foster | 14-108 | Durham |

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COURT CALENDAR BY PANEL

Wednesday, 7 May 2014

PANEL NO. 4

HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MAY 2014 AT 1:00 p.m.**

| | | |
|------------------------------------|---------|-------------|
| Wells Fargo Bank, N.A. v Fischer | 13-1273 | Mecklenburg |
| Fazzari, v Infinity Partners, LLC, | 13-1303 | Mecklenburg |
| Fazzari, v Infinity Partners, LLC, | 13-1304 | Mecklenburg |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|------------------|---------|--------------|
| State v Case | 13-1269 | Transylvania |
| State v Campbell | 13-1404 | Cleveland |
| State v Bunn | 14-15 | Durham |

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COURT CALENDAR BY PANEL

Thursday, 8 May 2014

PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.
HONORABLE SAM J. ERVIN, IV
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 8TH OF MAY 2014 AT 9:30 a.m.**

| | | |
|-----------------|---------|-----------|
| State v Borders | 13-1208 | Cleveland |
|-----------------|---------|-----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Bryant | 13-1384 | Brunswick |
| State v Brown | 14-35 | Guilford |
| Zuroskey v Shaffer | 13-1364 | Mecklenburg |
| Foss v Miller | 13-1451 | Iredell |
| Brewer, v Hunter, | 14-7 | Gaston |
| Cole v United Parcel Serv., Inc., | 14-17 | N.C. Industrial Commission |
| Glynne v Wilson Med. Ctr. | 14-53 | Wilson |
| Sandhill Amusements, Inc., v Sheriff of ... | 14-85 | Onslow |

Sent Date: 14 April 2014

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COURT CALENDAR BY PANEL

Monday, 19 May 2014

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE SANFORD STEELMAN
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 19TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Walker | 13-1356 | Wake |
| State v Sloan | 13-1469 | Union |
| State v McNeill | 14-64 | Cumberland |
| Lewis v N.C. Dep't Of Corr. | 13-1348 | N.C. Industrial Commission |
| Bruns v NC Farm Bureau Mut. Ins. Co., In... | 14-52 | Craven |
| Bottoms v Strum | 14-75 | Nash |
| DeMayo v Stone By Lynch, LLC, | 14-119 | Mecklenburg |
| Lewis v Lester | 14-147 | Guilford |
| E. Pride, Inc., v Singh, | 14-167 | Nash |

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COURT CALENDAR BY PANEL

Tuesday, 20 May 2014

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE ROBERT C. HUNTER
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 20TH OF MAY 2014 AT 9:30 a.m.**

| | | |
|---|--------|---------|
| Beverage Sys. of The Carolinas, LLC v As... | 14-185 | Iredell |
|---|--------|---------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 20TH OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-----------------------|---------|------------|
| State v Rosales | 13-1373 | Burke |
| State v Carroll | 14-14 | Randolph |
| State v Merrell | 14-66 | Watauga |
| Whitesell v. Barnwell | 13-1426 | Rockingham |
| McVicker v McVicker | 14-47 | Wake |
| Kyprianides v Martin | 14-78 | Hertford |
| Latak v Latak | 14-131 | Buncombe |
| Dykes v Long | 14-148 | Lee |

Sent Date: 29 April 2014

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COURT CALENDAR BY PANEL

Wednesday, 21 May 2014

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MAY 2014 AT 9:30 a.m.**

| | | |
|---------------------------|--------|-------------|
| Pope v Bridge Broom, Inc. | 14-221 | Mecklenburg |
|---------------------------|--------|-------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MAY 2014.** 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 | 13-1402 | Buncombe |
| State v Smith | 14-34 | Johnston |
| State v Brown | 14-67 | Guilford |
| Packers Printing & Publ'g Co., Inc., v A... | 13-1449 | Columbus |
| Laws v Laws | 14-55 | Alamance |
| McKeown v Castagno | 14-81 | New Hanover |
| Brawley v Elizabeth Townes Homeowners As... | 14-135 | Iredell |
| In re: Lawrence Bullock, III | 14-149 | Granville |

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COURT CALENDAR BY PANEL

Wednesday, 21 May 2014

PANEL NO. 4

HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MAY 2014 AT 1:00 p.m.**

| | | |
|----------------|-------|-------------|
| State v Hughes | 14-73 | Mecklenburg |
|----------------|-------|-------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------|
| State v. Eller | 13-1433 | Iredell |
| State v James | 14-36 | Forsyth |
| Wise Recycling, LLC v Town of Clayton | 14-4 | Johnston |
| DAlessandro v DAlessandro | 14-58 | Wake |
| DAlessandro v DAlessandro | 14-68 | Wake |
| Roberts v Ward | 14-144 | Madison |
| Lassiter, ex rel v The N. Carolina Bapti... | 14-165 | Johnston |
| HomeTrust Bank v Tsiros | 14-267 | Buncombe |

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COURT CALENDAR BY PANEL

Thursday, 22 May 2014

PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.
HONORABLE SAM J. ERVIN, IV
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 22ND OF MAY 2014 AT 9:30 a.m.**

| | | |
|---|--------|---------|
| Shearl v Town of Highlands | 14-113 | Macon |
| Trillium Ridge Condo. Ass'n, Inc. v Tril... | 14-183 | Jackson |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 22ND OF MAY 2014.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|----------------------------------|---------|----------|
| State v Richardson | 13-1331 | Wake |
| State v Lockhart | 13-1460 | Guilford |
| State v Gideon | 14-38 | Wake |
| Gray v Peele | 13-1333 | Wake |
| Cnty. of Forsyth v Canterbury | 14-45 | Forsyth |
| The Cnty. Of Jackson v Moor | 14-74 | Jackson |
| Century Fire Prot., LLC v Heirs, | 14-146 | Catawba |