

# 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

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 5 May 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **5 MAY 2014** 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: L.B.B.	13-1260	Harnett
In Re: S.M.W.	13-1362	Pasquotank
In re: K.K. & K.K.	13-1385	Swain
In re: D.C.M.	13-1393	Alleghany
In re: K.M.C. & H.D.C., III	13-1414	Randolph
In re: O.B., K.B., R.B., D.S.	14-88	McDowell

Sent Date: 8 April 2014

# North Carolina Court of Appeals

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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

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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

Sent Date: 29 April 2014

# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 19 May 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **19 MAY 2014** 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: J.C.P., J.T.P., I.L.P.	13-1253	Guilford
In re: Z.P-S.	13-1378	Durham
In re: C.L.	13-1401	Wake
In Re: S.T.F., J.T.F., A.T.F., A.T.F.	13-1408	Robeson
In re: J.R.	13-1473	Mecklenburg
In re: N.M.	14-33	New Hanover

Sent Date: 23 April 2014



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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
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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

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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
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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

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 26 May 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **26 MAY 2014** 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: T.L.F. & M.D.F.	14-23	Wilkes
In Re: D.M.H.	14-44	Caldwell
In re: L.J.C., IV	14-97	Wake
In re: S.L.B.B.	14-116	Catawba
In re: M.S.	14-138	Beaufort
In Re: J.D.	14-145	Mecklenburg

Sent Date: 24 April 2014

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 26 May 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **26 MAY 2014** 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 Ervin	13-1078	Gaston
State v Honeycutt	13-1103	Orange
State v Ross	13-1162	Cleveland
State v Graves	13-1174	Wake
State v Ballard	13-1211	Wilkes
State v Smart	13-1231	Burke
State v Gladden	13-1262	Cabarrus
State v Warren	13-1268	Haywood
State v Manns	13-1324	Forsyth
State v Phillips	14-54	Craven

Sent Date: 23 April 2014