

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 4 August 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **4 AUGUST 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 Harris   | 13-1332 | Mecklenburg |
| State v Kelly    | 13-1383 | Buncombe    |
| State v Postell  | 13-1390 | Lincoln     |
| State v Hall     | 13-1411 | Robeson     |
| State v McKinnon | 13-1446 | Buncombe    |
| State v Graham   | 13-1459 | Durham      |
| State v Lewis    | 14-20   | Cabarrus    |
| State v Scruggs  | 14-22   | Macon       |
| State v Bustle   | 14-65   | Mecklenburg |
| In re: J.D.G.    | 14-117  | Randolph    |

Sent Date: 23 July 2014

# 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, 11 August 2014

### PANEL NO. 1

HONORABLE SAM J. ERVIN, IV  
HONORABLE DOUGLAS MCCULLOUGH

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THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 11TH OF AUGUST 2014 AT 1:00 p.m.**

|  |        |       |
|--|--------|-------|
| E. Carolina Reg'l Hous. Auth. v Lofton | 14-212 | Wayne |
|--|--------|-------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 11TH OF AUGUST 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 Luke                           | 13-1261 | Mecklenburg |
| State v Pendergraft                    | 14-39   | Wake        |
| State v Royster                        | 14-100  | Mecklenburg |
| State v Blow                           | 14-133  | Henderson   |
| State v Roberts                        | 14-175  | Pitt        |
| State v Surratt                        | 14-202  | Forsyth     |
| Basmas v Wells Fargo Bank Nat'l Ass'n, | 13-464  | Iredell     |
| Covington v Serv. Corp. Int'l,         | 14-110  | Forsyth     |
| In re: J.S.                            | 14-142  | Wake        |
| In re: James Spencer                   | 14-143  | Wake        |
| Smith v McKinnon,                      | 14-189  | Cumberland  |

Sent Date: 17 July 2014

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 11 August 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **11 AUGUST 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 Schwendeman | 14-159 | Onslow      |
| State v Neil        | 14-201 | Nash        |
| State v McNeill     | 14-238 | Cumberland  |
| State v Lucas       | 14-245 | Guilford    |
| State v Brown       | 14-278 | New Hanover |
| State v Blanks      | 14-282 | Bladen      |
| State v Smith       | 14-296 | Guilford    |
| State v Royall      | 14-363 | Yadkin      |
| State v New         | 14-495 | Mecklenburg |

Sent Date: 8 July 2014

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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## COURT CALENDAR BY PANEL

Tuesday, 12 August 2014

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 12TH OF AUGUST 2014 AT 9:30 a.m.**

|   |        |         |
|---|--------|---------|
| The Est. of Nathan Richard Coppick v Hob... | 14-127 | Lincoln |
| Kirby, v NC Dep't of Transp.                | 14-184 | Forsyth |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 12TH OF AUGUST 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 Wilson                         | 13-1395 | Guilford                |
| State v Luckey                         | 14-12   | Union                   |
| State v Macon                          | 14-122  | Vance                   |
| State v More                           | 14-139  | Wake                    |
| State v Foster                         | 14-187  | Mecklenburg             |
| State v Hawk                           | 14-204  | Montgomery              |
| Gregory v. Old Republic Home Prot. Co. | 13-1439 | Forsyth                 |
| Green v Green                          | 14-150  | Nash                    |
| Pruett v Bingham,                      | 14-191  | Rutherford              |
| In re: Interstate Outdoor Inc.         | 14-223  | Property Tax Commission |

Sent Date: 17 July 2014

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## COURT CALENDAR BY PANEL

Wednesday, 13 August 2014

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF AUGUST 2014**  
**AT 1:00 p.m.**

|   |        |                                   |
|---|--------|-----------------------------------|
| Cumberland Cnty. Hosp. Sys., Inc. v NC D... | 14-161 | N.C. Dept. of Health & Human Svcs |
|---|--------|-----------------------------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF AUGUST 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. Rogers                             | 13-1430 | Wake        |
| State v Williford                           | 14-50   | Wake        |
| State v Shaw                                | 14-125  | Mecklenburg |
| State v Graham                              | 14-157  | Sampson     |
| State v Smith                               | 14-193  | Durham      |
| State v Robinson                            | 14-224  | Mecklenburg |
| Sauls v Sauls                               | 14-41   | Beaufort    |
| Kearney v Bolling                           | 14-130  | Forsyth     |
| Tucker v Fayetteville State Univ.,          | 14-178  | Cumberland  |
| Bell v Bell                                 | 14-200  | Wilkes      |
| Country Cafaye, Inc., v Travelers Cas. I... | 14-226  | Stokes      |

Sent Date: 17 July 2014

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## COURT CALENDAR BY PANEL

Wednesday, 13 August 2014

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE CHRIS DILLON  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF AUGUST 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 Ott                                 | 13-1412 | Rowan       |
| State v Page                                | 14-16   | New Hanover |
| State v Shaw                                | 14-124  | Mecklenburg |
| State v Allen                               | 14-152  | Robeson     |
| State v Floyd                               | 14-190  | Columbus    |
| State v Burris                              | 14-217  | Cleveland   |
| Byrd, v Franklin Cnty.                      | 13-1456 | Franklin    |
| Byrd, v Franklin Cnty.                      | 13-1457 | Franklin    |
| In re The Foreclosure Of: Clouse            | 14-153  | Jackson     |
| Geiger v Cent. Carolina Surgical Eye Ass... | 14-169  | Guilford    |
| Sandy Grove Baptist Church, v Finch         | 14-199  | Nash        |
| Upchurch v Upchurch                         | 14-227  | Alamance    |

Sent Date: 17 July 2014

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## COURT CALENDAR BY PANEL

Thursday, 14 August 2014

### PANEL NO. 5

HONORABLE SANFORD STEELMAN  
HONORABLE MARTHA A. GEER  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 14TH OF AUGUST 2014 AT 9:30 a.m.**

|   |         |                                   |
|---|---------|-----------------------------------|
| State v Clyburn                             | 13-1445 | Mecklenburg                       |
| Rutherford Electric Membership Corp. v 1... | 14-134  | Rutherford                        |
| Cumberland Cnty. Hosp. Sys., Inc. v NC D... | 14-160  | N.C. Dept. of Health & Human Svcs |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 14TH OF AUGUST 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 Dublin                   | 14-84  | Johnston    |
| State v Allah                    | 14-126 | New Hanover |
| State v Cherry                   | 14-172 | Nash        |
| State v Best                     | 14-198 | Wayne       |
| State v Harvell                  | 14-228 | Mecklenburg |
| In re: J.F.                      | 14-101 | Mecklenburg |
| Swain v Swain                    | 14-181 | Craven      |
| Donnelly v Univ. of N. Carolina, | 14-208 | Iredell     |
| Steele v Steele                  | 14-231 | Iredell     |

Sent Date: 17 July 2014

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 18 August 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **18 AUGUST 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: C.V.M.                               | 14-205 | Surry       |
| In re: R.J.C.M., R.J.M., T.M.M., & J.R.M... | 14-358 | Randolph    |
| In Re: M.J.C., A.C., M.C., L.C.             | 14-367 | Robeson     |
| In re: L.N.P.H. & C.J.E.H.                  | 14-373 | New Hanover |
| In re: K.A.D.                               | 14-407 | Jackson     |
| In re: P.M.N                                | 14-431 | Randolph    |



# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 25 August 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **25 AUGUST 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 Carden  | 14-151 | Alamance  |
| State v Brooks  | 14-203 | Cleveland |
| State v Pickens | 14-320 | Buncombe  |
| State v Thorpe  | 14-346 | Orange    |
| State v Cook    | 14-393 | Durham    |
| State v Jolliff | 14-422 | Wake      |
| State v Harris  | 14-430 | Guilford  |
| State v Avant   | 14-436 | Alamance  |
| In re: Cottrell | 14-519 | Lincoln   |
| State v Rodgers | 14-558 | Pamlico   |

Sent Date: 23 July 2014

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## COURT CALENDAR BY PANEL

Tuesday, 26 August 2014

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 26TH OF AUGUST 2014 AT 9:30 a.m.**

|   |        |      |
|---|--------|------|
| Cubbage, v The Bd. of Trustees Of The En... | 14-311 | Wake |
|---|--------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 26TH OF AUGUST 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 Crisp                      | 14-232 | Johnston |
| State v Moore                      | 14-244 | Scotland |
| State v Chavez                     | 14-255 | Wake     |
| State v Gaytan                     | 14-277 | Guilford |
| State v Turner                     | 14-318 | Catawba  |
| State v Williams                   | 14-342 | Durham   |
| Hester v Hubert Vester Ford, Inc., | 14-233 | Bladen   |
| Power v Power                      | 14-249 | Wake     |
| Griffith-Griffing v Griffing       | 14-256 | Carteret |
| Barnes v Scull,                    | 14-264 | Wilson   |
| Lawson, v Lawson,                  | 14-286 | Person   |

Sent Date: 4 August 2014

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## COURT CALENDAR BY PANEL

Wednesday, 27 August 2014

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE CHRIS DILLON  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF AUGUST 2014**  
**AT 9:30 a.m.**

|   |        |          |
|---|--------|----------|
| Cashion v Lexington Mem'l Hosp., Inc.,      | 14-120 | Davidson |
| LE Oceanfront, Inc., v Lands End of Emer... | 14-287 | Carteret |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF AUGUST 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. Martin                             | 13-1432 | Buncombe    |
| State v Chisholm                            | 14-237  | Mecklenburg |
| State v Howard                              | 14-246  | Forsyth     |
| State v Davis                               | 14-258  | Cumberland  |
| State v Wynn                                | 14-280  | Beaufort    |
| State v Frederick                           | 14-338  | Sampson     |
| Key v Key                                   | 14-235  | Wake        |
| Settlers Edge Holding Co., LLC, v RES-NC... | 14-252  | Yancey      |
| Whitehurst Inv. Props., LLC v Newbridge ... | 14-257  | Guilford    |
| Mohr v Matthews                             | 14-271  | Forsyth     |

Sent Date: 4 August 2014

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## COURT CALENDAR BY PANEL

Wednesday, 27 August 2014

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF AUGUST 2014**  
**AT 1:00 p.m.**

|   |        |         |
|---|--------|---------|
| Commscope Credit Union v Butler & Burke,... | 14-273 | Catawba |
|---|--------|---------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF AUGUST 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 Edmonds                             | 14-158 | Buncombe                   |
| State v Sevilla-Briones                     | 14-240 | Mecklenburg                |
| State v Morrison                            | 14-247 | Mecklenburg                |
| State v Sewell                              | 14-269 | Durham                     |
| State v Allen                               | 14-290 | Mecklenburg                |
| State v Meeks                               | 14-340 | Jackson                    |
| In re The Foreclosure Of: L.L. Murphrey ... | 14-166 | Greene                     |
| Digh v Digh                                 | 14-241 | Burke                      |
| Sec. Credit Corp., Inc. v Barefoot,         | 14-250 | Johnston                   |
| Bass v Harnett Cnty.,                       | 14-261 | N.C. Industrial Commission |
| Safron v Council                            | 14-288 | Orange                     |

Sent Date: 4 August 2014

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## COURT CALENDAR BY PANEL

Thursday, 28 August 2014

### PANEL NO. 5

HONORABLE SANFORD STEELMAN  
HONORABLE MARTHA A. GEER  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 28TH OF AUGUST 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 Matthews                    | 14-174 | Mecklenburg                |
| State v Rawlings                    | 14-242 | Wayne                      |
| State v Hull & Davis                | 14-251 | Guilford                   |
| State v Overocker                   | 14-270 | Durham                     |
| State v Barnette                    | 14-308 | Gaston                     |
| State v Chavez                      | 14-341 | Guilford                   |
| Crogan v Crogan                     | 14-214 | Granville                  |
| Robbins v Hunt                      | 14-243 | New Hanover                |
| In Re: Aldridge                     | 14-275 | Union                      |
| In re: J.V.                         | 14-300 | Currituck                  |
| Spain v Spain,                      | 14-312 | N.C. Industrial Commission |
| Adcox v Clarkson Bros. Constr. Co., | 14-313 | Johnston                   |

Sent Date: 4 August 2014