

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Monday, 11 August 2014

PANEL NO. 1

HONORABLE SAM J. ERVIN, IV
HONORABLE DOUGLAS MCCULLOUGH

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
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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

Court of Appeals Building
One West Morgan Street
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

North Carolina Court of Appeals

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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
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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

North Carolina Court of Appeals

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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

Sent Date: 25 July 2014

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

North Carolina Court of Appeals

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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
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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

North Carolina Court of Appeals

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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
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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