

# 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, 8 September 2014

### PANEL NO. 1

HONORABLE SAM J. ERVIN, IV  
HONORABLE DOUGLAS MCCULLOUGH

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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 8TH OF SEPTEMBER 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 Ingram	14-406	Guilford
State v Ricks	14-408	Nash
State v Vandyke	14-414	Rutherford
State v Peoples	14-416	Mecklenburg
State v Jackson	14-424	Wake
State v Everette	14-426	Wake
Ferguson v Ferguson	14-355	Mecklenburg
Refik Ademovic v Taxi USA, LLC,	14-356	N.C. Industrial Commission
Moore v Moore	14-374	Rowan
Dep't of Transp. v Evans	14-376	Cumberland
Carolina Marlin Club Marina Ass'n, Inc. ...	14-377	Carteret
Kaplan v Kaplan	14-386	Buncombe

Sent Date: 18 August 2014

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 8 September 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 SEPTEMBER 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. & J.C.	14-268	Johnston
In re: A.M.B.	14-309	Mecklenburg
In Re: M.T. & G.T.	14-385	Robeson
In re: C.O.W.	14-517	Alamance
In re: L.D.S.	14-524	Guilford
In re: J.M.L.	14-563	Lincoln

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## COURT CALENDAR BY PANEL

Tuesday, 9 September 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, 9TH OF SEPTEMBER 2014 AT 9:30 a.m.**

Gerhauser v Van Bourgondien	14-349	Moore
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF SEPTEMBER 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 Flood	14-179	Hoke
State v Riquelme	14-289	Union
State v Larkin	14-321	New Hanover
State v Harris	14-350	Guilford
State v Spruill & Chapman	14-369	Edgecombe
State v Walton	14-402	Johnston
Robertson, v Steris Corp., a Del. Corp.,...	14-253	Brunswick
Robertson, v Steris Corp., a Del. Corp.,...	14-254	Brunswick
Cox v Cox v Layne	14-314	Iredell
Fox v Sara Lee Corp.,	14-326	Forsyth
Haileab v John Q. Hammons Hotels,	14-333	N.C. Industrial Commission

Sent Date: 18 August 2014

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## COURT CALENDAR BY PANEL

Wednesday, 10 September 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, 10TH OF SEPTEMBER 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 Clark	14-188	Pitt
State v Snipes	14-297	Mecklenburg
State v Pomposo	14-330	Mecklenburg
State v Lennon	14-354	Durham
State v DeWalt	14-372	Alexander
State v Skinner & Northington	14-404	Onslow
White v White	14-274	Pasquotank
TriMark Foodcraft, Inc. v Leger,	14-284	Cabarrus
LSREF2 Island Holdings, LTD., Inc. v Por...	14-316	Mecklenburg
For The Adoption Of: Robinson	14-327	Lincoln
Gupta v Carter	14-334	Wake
The Talbot Bank Of Easton Md. v Snyder	14-353	Dare

Sent Date: 18 August 2014

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## COURT CALENDAR BY PANEL

Wednesday, 10 September 2014

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF SEPTEMBER 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 Salentine	14-63	Johnston
State v Baker	14-260	Davidson
State v Spence	14-317	Wake
State v McGee	14-339	Davie
State v Vaughn	14-364	Wilson
State v Smith	14-384	Craven
Jeffries v Miller	14-263	Forsyth
Buck v Buck	14-279	Rowan
Chappell, v Wyngate Homeowners Ass'n, In...	14-285	Wake
Stoutamire v Bailey,	14-322	Mecklenburg
Branch Banking & Tr. v Keesee,	14-328	New Hanover
Wyatt v Haldex Hydraulics,	14-335	N.C. Industrial Commission

Sent Date: 18 August 2014

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## COURT CALENDAR BY PANEL

Thursday, 11 September 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, 11TH OF SEPTEMBER 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 Ellis	14-77	Wake
State v Jastrow	14-276	Davie
State v Barkley	14-319	Durham
State v Hill	14-344	Cleveland
State v Speakman	14-368	Forsyth
State v Shepley	14-390	Buncombe
Bertrand v Cabello	14-265	Catawba
Duke Energy Carolinas, LLC v Gray,	14-283	Mecklenburg
Dillard v Dillard	14-304	Mecklenburg
Skinner v Reynolds,	14-325	Forsyth
Campbell v Campbell	14-329	Forsyth
In re: J.F.	14-562	Mecklenburg

Sent Date: 18 August 2014

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## COURT CALENDAR BY PANEL

Friday, 19 September 2014

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT C. HUNTER  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **FRIDAY, 19TH OF SEPTEMBER 2014 AT 1:30 p.m.**

Smoky Mountain Sanctuary Propertys Owner...	14-112	Haywood
Neil, v Kuester Real Est. Servs., Inc.,	14-513	Watauga

**NOTE:** Oral argument will be held at the following location:

**McDowell County Courthouse**  
**21 S. Main Street**  
**Marion, NC 28752**

# North Carolina Court of Appeals

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One West Morgan Street  
Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 22 September 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **22 SEPTEMBER 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 Jeter	14-337	Mecklenburg
State v Robinson	14-391	Mecklenburg
State v Davis	14-392	Buncombe
State v Saunders	14-400	Johnston
State v Graham	14-423	Richmond
State v Scott	14-450	Vance
Rooks v Blake,	14-486	Pender
State v Bass	14-492	Wake
State v George	14-497	Surry
State v Sanders	14-532	Gaston

Sent Date: 22 August 2014



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## COURT CALENDAR BY PANEL

Tuesday, 23 September 2014

### PANEL NO. 2

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF SEPTEMBER 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 Friend	14-336	Hertford
State v Britt	14-413	Robeson
State v Davis	14-443	Buncombe
State v Jones	14-463	Wake
State v Johnson	14-481	Mecklenburg
State v Bryant	14-515	Craven
Burnette v Fox	14-266	Haywood
In re: Rosemeier	14-389	Onslow
Ward v Fogel,	14-417	Wake
Cox v Burnette	14-434	Rockingham

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## COURT CALENDAR BY PANEL

Wednesday, 24 September 2014

### PANEL NO. 3

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 2014 AT 9:30 a.m.**

In re: David P. Hall	14-435	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 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 Mann	14-347	Pitt
State v Rice	14-427	Wayne
State v Anderson	14-444	Guilford
State v Pate	14-464	Cherokee
State v Gerberding	14-482	Durham
State v Floyd	14-533	Lenoir
Price v State of N. Carolina, Off. Of Th...	14-375	Wake
Spence v Willis	14-399	Harnett
Finney v Finney	14-420	Haywood
Belch v Kortheuer,	14-461	N.C. Industrial Commission
Morgan v Morgan	14-471	Iredell

Sent Date: 29 August 2014

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## COURT CALENDAR BY PANEL

Wednesday, 24 September 2014

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF SEPTEMBER 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 Norris	14-361	Cleveland
State v Scruggs	14-437	Rutherford
State v Barnett	14-447	Gaston
State v O'Neil	14-472	McDowell
State v Sellas	14-489	Buncombe
State v Murdock	14-534	Iredell
In re THE FORECLOSURE by Rogers Townsend...	14-387	Carteret
Boykin v Selco Constr., Inc.,	14-405	Johnston
Bediz v Capital Facilities Found., Inc.	14-421	Guilford
Wright v Lane,	14-441	Guilford
E. Carolina Univ. Found., Inc. v First C...	14-465	Forsyth
Saini v Paracha,	14-475	Cumberland

Sent Date: 29 August 2014

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## COURT CALENDAR BY PANEL

Thursday, 25 September 2014

### PANEL NO. 5

HONORABLE LINDA M. MCGEE  
HONORABLE MARTHA A. GEER  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 2014**  
**AT 9:30 a.m.**

Goodwin v CAGC Ins. Co.,	14-445	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF SEPTEMBER 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 Long	14-295	Mecklenburg
State v Askew	14-411	Wake
State v Winkler	14-442	Buncombe
State v Miles	14-458	Alamance
State v Murphy	14-474	Nash
State v Myers	14-504	Caswell
Jones v Jones	14-236	Lee
Baker, et al v Tucker	14-415	Lee
Cline v Hoke	14-428	Wake
Henderson, v Garcia Motorrad, LLC,	14-466	Wake
Jones v Jones	14-507	Lee

Sent Date: 29 August 2014

# North Carolina Court of Appeals

Court of Appeals Building  
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## 3.1 Calendar

Monday, 29 September 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **29 SEPTEMBER 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: A.C.H.	14-239	McDowell
In Re: N.S.R.C.	14-303	Yadkin
In re: L.R.S.	14-323	Surry
In re: D.D.A.	14-366	Craven
In The Matters Of: J.K. & L.K.	14-381	Lee
In re: J.K.U.	14-511	Guilford

Sent Date: 25 August 2014