

# 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, 8 September 2014

### PANEL NO. 1

HONORABLE SAM J. ERVIN, IV  
HONORABLE DOUGLAS MCCULLOUGH

---

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     |

# 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

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 |
|-----------------------------|--------|-------|

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

# 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

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

# 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

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

# 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

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

# 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

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

Court of Appeals Building  
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



# 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

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  |

# 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

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 |
|----------------------|--------|-------------|

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

# 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

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

# 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

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 |
|--------------------------|--------|------|

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  
One West Morgan Street  
Raleigh, North Carolina 27601

## 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 |