

# 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, 6 January 2014

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE SAM J. ERVIN, IV  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 6TH OF JANUARY 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 Inyama	13-666	Wake
State v Clapp	13-785	Alamance
State v Johnson	13-872	Rowan
Thomas v Thomas	13-655	Wake
Shackley v Shackley	13-774	Pitt
Hairston v Collins	13-850	Forsyth
Sims v Graystone Ophthalmology Assocs., ...	13-870	Catawba
Sammy's Auto Sales, Inc., v Comm'r of Di...	13-889	Robeson
Cinoman, v The Univ. Of N. Carolina,	13-902	Wake
Kennedy v Ramirez	13-927	Mecklenburg
Holbert v Holbert	13-951	Henderson
Barrow, v D.A.N. Joint Venture Props. Of...	13-975	Greene

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## 3.1 Calendar

Monday, 6 January 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **6 JANUARY 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.P.	13-674	Durham
In re: N.K.	13-752	Mecklenburg
In Re: H.R.A.	13-778	Wilkes
In re: D.D.D., D.D.D., K.A.D., K.D.D.	13-854	Cherokee
In re: C.L.D. & C.M.D.	13-941	New Hanover
In re: D.H., D.H., K.H.	13-1055	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 7 January 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, 7TH OF JANUARY 2014 AT 9:30 a.m.**

State v Velazquez-Perez,	13-694	Buncombe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF JANUARY 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 Crowder	13-824	Mecklenburg
State v Herrera	13-888	Mecklenburg
May, v Melrose S. Pyrotechnics, Inc.,	13-620	Wayne
Hall v NC Servs. Corp.,	13-781	Iredell
Yerby v NC Dept. Of Pub. Safety/Div. Of ...	13-851	N.C. Industrial Commission
Baldwin v Baldwin	13-874	Wake
Foss v McGuire, Wood & Bissette, PA,	13-894	Buncombe
Petri v Bank of Am., N.A.,	13-907	Macon
Johnson v Johnson-Sanderson	13-939	Cumberland
In re: J.T.M.	13-961	Mecklenburg
File v Norandal USA, Inc.,	13-977	N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Wednesday, 8 January 2014

### PANEL NO. 3

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF JANUARY 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 Lott,	13-719	Wake
State v Polk	13-849	Rowan
State v Browning	13-892	Franklin
Matthewson v Nat'l Advantage Mortg. Co.	13-753	Mecklenburg
In re: Echols	13-804	Bertie
Tricebock v Krentz	13-852	Mecklenburg
Meherrin Indian Tribe, v Lewis,	13-882	Hertford
In re: P.Q.M.	13-899	Gaston
Paredones, v Wrenn Bros.,	13-910	N.C. Industrial Commission
Morgan v Interim Healthcare,	13-942	N.C. Industrial Commission
Amos, v Moore,	13-963	Forsyth
Morales v Garcia	13-983	Cabarrus

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## COURT CALENDAR BY PANEL

Wednesday, 8 January 2014

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF JANUARY 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 Ruffin	13-744	Washington
State v Davis	13-857	Iredell
State v Chapin	13-897	Wake
In Re: Accutane Litig.	13-754	Orange
Currie v Poteat,	13-814	Caswell
Simpson v Simpson	13-864	Forsyth
Venable v Lowes Home Ctrs., Inc.,	13-883	N.C. Industrial Commission
Sossamon v Granville-Vance Dist. Health ...	13-900	Vance
Philbeck v Univ. Of Mich.,	13-911	N.C. Industrial Commission
Smith v Am. Nat'l Ins. Co.,	13-943	N.C. Industrial Commission
Horner Int'l Co. v McKoy	13-964	Wake
Davis v Davis	13-984	Davidson

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## COURT CALENDAR BY PANEL

Thursday, 9 January 2014

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

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

The Royal Oak Concerned Citizens Ass'n, ...	13-884	Brunswick
The Royal Oak Concerned Citizens Ass'n, ...	13-885	Brunswick

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF JANUARY 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 Stough	13-762	Jackson
State v Wilson	13-869	Gaston
State v Carpenter	13-898	Forsyth
Haugh v Nationwide Mut. Fire Ins. Co.,	13-768	Mecklenburg
Botts v Tibbens	13-827	Durham
Lassiter v Town of Selma,	13-866	N.C. Industrial Commission
Jernigan v Tart	13-919	Johnston
Blount v Lemaire	13-946	Pitt
Foster, v Wells Fargo, NA,	13-974	Durham
Burakowski v Burakowski	13-986	Gates

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## 3.1 Calendar

Monday, 13 January 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **13 JANUARY 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.G.	13-807	Durham
In re: B.W. Jr., K.T., A.W.	13-847	Durham
In re: A.B., M.K., I.C.	13-862	Cumberland
In The Matters Of: K.R. & M.R.	13-929	Madison
In Re: C.B.J.	13-985	Wilkes
In re: M.I.J., U.N.J., X.R.J.	13-1004	Wake

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## COURT CALENDAR BY PANEL

Tuesday, 21 January 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, 21ST OF JANUARY 2014 AT 9:30 a.m.**

Robinson, v Shanahan,	13-504	Wake
In Re Adoption Of: Baby Boy	13-912	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF JANUARY 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 Hutcheson	13-842	Nash
State v Melton	13-940	Wake
State v Phelps	13-957	Washington
State v Goins	13-998	New Hanover
State v Andrews	13-1013	Mecklenburg
State v Fennell	13-1056	Pender
In re: M.C.	13-828	Vance
Bookman v Britthaven, Inc.,	13-948	Wilson
Wurtz v Wurtz	13-993	Iredell
In re Foreclosure: Lopez	13-1015	Catawba

Sent Date: 2 January 2014



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## COURT CALENDAR BY PANEL

Wednesday, 22 January 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, 22ND OF JANUARY 2014**  
**AT 9:30 a.m.**

Etheridge, v Cnty. of Currituck,	13-834	Currituck
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF JANUARY 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 Williams	13-871	Wake
State v Davis	13-952	Mecklenburg
State v W.	13-959	Onslow
State v Smith	13-1000	Person
State v Torres-Robles	13-1023	Wake
State v Mitchell	13-1080	Nash
SRS Arlington Offices 1, LLC, v Arlingto...	13-808	Mecklenburg
TriMark Foodcraft, Inc. v Leger,	13-923	Cabarrus
In re: Deborah Parkinson Johnson	13-962	Wake
Skoff v US Airways, Inc.,	13-994	N.C. Industrial Commission
Bostian v Marietta,	13-1016	N.C. Industrial Commission

Sent Date: 2 January 2014

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## COURT CALENDAR BY PANEL

Wednesday, 22 January 2014

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF JANUARY 2014**  
**AT 1:00 p.m.**

Hedgepeth v Parkers Landing Prop. Owners...	13-809	Currituck
Hedgepeth, v Parkers Landing Prop. Owner...	13-914	Currituck
King, v Bryant,	13-1003	Cumberland

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF JANUARY 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	13-922	Mecklenburg
State v Mathes	13-955	Buncombe
State v Ponos	13-968	New Hanover
State v Loftis	13-1002	Haywood
State v Collins	13-1043	Craven
State v Sexton	13-1086	Wake
Henderson v Henderson	13-843	Wake
S & W Ready Mix Concrete Co. v Snavely,	13-980	Franklin
Hancox v Wingate Univ.,	13-1018	Union

Sent Date: 2 January 2014

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## COURT CALENDAR BY PANEL

Thursday, 23 January 2014

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF JANUARY 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 McCoy	13-933	Durham
State v Martin	13-956	Halifax
State v Burnette	13-976	Forsyth
State v Gayles	13-1005	Buncombe
State v Parker	13-1054	Pitt
State v Roberts	13-1111	Brunswick
The Royal Oak Concerned Citizens Ass'n, ...	13-822	Brunswick
Thomas Jefferson Classical Acad. Charter...	13-893	Cleveland
Bentley v Revlon, Inc.,	13-932	N.C. Industrial Commission
Sorey v Sorey	13-987	Beaufort
NC Dept. Of Corr. v Parker	13-1008	Wake
Miller v Carolinas Med. Ctr.-Ne.	13-1028	N.C. Industrial Commission

Sent Date: 2 January 2014

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
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## 3.1 Calendar

Monday, 27 January 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **27 JANUARY 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: E.E.L.	13-805	Forsyth
In re: T.M.M. & N.D.M.	13-855	New Hanover
In The Matters Of: D.F.S. & J.I.M.	13-913	Macon
In re: C.E.C. & C.E.C.	13-930	Mecklenburg
In re: L.T.	13-1068	Wake
In Re: J.G.L. & L.D.L.	13-1070	Caldwell

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 27 January 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **27 JANUARY 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 Bandy	13-711	Edgecombe
State v Frazier	13-858	Mecklenburg
State v Jones	13-859	Guilford
State v Allen	13-878	Alamance
State v Stocks	13-879	Wayne
State v McCombs	13-916	Rowan
State v Leath	13-967	Alamance
State v Strange	13-1062	New Hanover
State v McLean	13-1166	Cumberland