

# 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 October 2014

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 6TH OF OCTOBER 2014 AT 1:00 p.m.**

State v Newson	14-302	Cumberland
In re The Foreclosure Of: Atl. Multifami...	14-197	Alamance
Tedder v A & K Enters.,	14-551	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 6TH OF OCTOBER 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 Robinson	14-409	Guilford
State v Knight	14-462	Guilford
State v Heavner	14-514	Lincoln
State v Henry	14-561	Johnston
State v Barksdale	14-595	Guilford
Jackson v Jackson	14-440	Durham
In re The Foreclosure Of: Orban	14-477	Catawba
Reardon v Brown	14-488	Gaston
Butler v Butler	14-521	Pasquotank

Sent Date: 16 September 2014

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 6 October 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 OCTOBER 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: K.C.	14-410	Pitt
In Re: A.K.D. & O.R.D.	14-506	Dare
In re: K.A. & W.A.	14-518	Mecklenburg
In re: M.M.V. & D.M.V.	14-545	Mecklenburg
In re: T.L.H.	14-549	Guilford
In re: Q.T.F.	14-550	Guilford

Sent Date: 5 September 2014

# North Carolina Court of Appeals

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One West Morgan Street  
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## COURT CALENDAR BY PANEL

Tuesday, 7 October 2014

### PANEL NO. 2

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 7TH OF OCTOBER 2014 AT 9:30 a.m.**

The Currituck Club Prop. Owners Ass'n, I...	14-476	Currituck
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF OCTOBER 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 Lemley	14-359	Wake
State v Parker	14-412	Sampson
State v Figurelli & Sarday	14-483	Johnston
State v Valencia	14-516	Randolph
State v Gash	14-581	Buncombe
State v Avery	14-601	Mecklenburg
Parker v Charlotte Pipe & Foundry,	14-371	N.C. Industrial Commission
Toney v Edgerton	14-453	Rutherford
In re: Powell	14-498	Durham
Gilbert v Guilford Cnty.,	14-523	Guilford
Jabez Consol. Holdings, Inc. v Wells Far...	14-552	Mecklenburg

Sent Date: 16 September 2014

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## COURT CALENDAR BY PANEL

Wednesday, 8 October 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, 8TH OF OCTOBER 2014**  
**AT 9:30 a.m.**

State v Amyx	14-383	Pasquotank
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF OCTOBER 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 Gentile	14-438	Johnston
State v Taylor	14-490	New Hanover
State v Rembert	14-522	Iredell
State v McClaude	14-584	Johnston
State v Moses	14-605	Forsyth
Six At 109, LLC v Town Of Holden Beach	14-388	Brunswick
Barclay v Makarov	14-460	Watauga
Gordon v Gordon	14-484	Wake
RREF ST Acquisitions, LLC v Agapion,	14-499	Guilford
Wimes v NC Bd. Of Nursing	14-525	Wake
SYSCO Charlotte, LLC, v Fritts,	14-553	Cabarrus

Sent Date: 16 September 2014

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## COURT CALENDAR BY PANEL

Wednesday, 8 October 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, 8TH OF OCTOBER 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 Eure	14-396	Pitt
State v Gillikin	14-449	Carteret
State v Philemon	14-491	Randolph
State v Friday	14-529	Alamance
State v Leak	14-591	Anson
State v Langley	14-606	Pitt
Coffey v Carlton	14-395	Catawba
Estrada v Timber Structures, Inc.,	14-468	N.C. Industrial Commission
Miller v Holloman	14-485	Hertford
Ratledge v Perdue,	14-500	Pitt
SCBT d/b/a First Fed. v Rimes	14-526	Pender
Keyes v Delk	14-557	Caldwell

Sent Date: 16 September 2014

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## COURT CALENDAR BY PANEL

Thursday, 9 October 2014

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE DONNA STROUD  
HONORABLE LISA C. BELL

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

State v Coakley	14-559	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF OCTOBER 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 Crockett	14-403	Mecklenburg
State v Craig	14-457	Martin
State v Deese	14-508	Mecklenburg
State v Blackmon	14-594	Mecklenburg
State v Pierce	14-613	Burke
Norrell v Keely	14-433	Currituck
Triumph, LLC v Alamance-Caswell LME,	14-470	Alamance
Logan v Morgan,	14-487	Guilford
Branch Banking & Tr. Co. v The Harrelson...	14-512	Forsyth
Bryant & Assocs., LLC v ARC Fin. Servs.,...	14-527	Wake
Becker v N.C. Crim. Justice Educ. & Trai...	14-568	Edgecombe

Sent Date: 16 September 2014

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## COURT CALENDAR BY PANEL

Monday, 20 October 2014

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT C. HUNTER  
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 20TH OF OCTOBER 2014 AT 1:00 p.m.**

Bottom v. Bailey	14-564	Buncombe
The Town of Black Mountain v Lexon Ins. ...	14-740	Buncombe

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

**Henderson County Historic Courthouse, 2nd Floor Courtroom  
One Historic Courthouse Square  
Hendersonville, NC**

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## COURT CALENDAR BY PANEL

Monday, 20 October 2014

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 20TH OF OCTOBER 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 Waddell	14-528	Cumberland
State v Rachels	14-571	Davidson
State v Reese	14-593	Guilford
State v Clark	14-637	Nash
State v Milton	14-664	Onslow
State v Hodge	14-724	Buncombe
Bennett v Bennett	14-548	Catawba
Pattison Outdoor Adver., LP v The Elevat...	14-580	Mecklenburg
Rose v Potts,	14-611	Cumberland
Showcase Constr. Co. v Props. Of S. Wake...	14-644	Cumberland
Powell v Christopherson ,	14-659	Wake
Wells Fargo Bank, N.A. v Coleman	14-683	Davidson

Sent Date: 3 October 2014



# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 20 October 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 OCTOBER 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: S.W.	14-432	Vance
In re: A.J.R.	14-536	Mecklenburg
In re: A.G., M.G., G.T., S.T.	14-588	Durham
In re: A.W.	14-597	Mecklenburg
In re: C.W.	14-610	Orange
In re: C.D.J. & T.A.J.	14-614	New Hanover

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 20 October 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 OCTOBER 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 Jones	14-425	Mecklenburg
State v Gaskins	14-448	Craven
Marotti v Forte	14-455	Wake
State v Pence	14-502	Brunswick
State v Dodd	14-503	Haywood
State v Persing	14-535	Moore
State v Messer	14-596	Buncombe
State v Luckadoo	14-604	Martin
In re: B.J.G.	14-669	Wake

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## COURT CALENDAR BY PANEL

Tuesday, 21 October 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, 21ST OF OCTOBER 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 Meeks	14-473	Mecklenburg
State v Johnson	14-543	Mecklenburg
State v Pierce	14-574	Wilkes
State v Hinnant	14-599	Nash
State v Sitosky	14-639	New Hanover
State v Bullabough	14-678	Mecklenburg
Montague v Montague	14-382	Wake
Feltman v City of Wilson,	14-585	Wilson
Richardson v PCS Phosphate Co., Inc.,	14-615	N.C. Industrial Commission
Ledbetter v City of Durham,	14-656	Durham

Sent Date: 3 October 2014

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## COURT CALENDAR BY PANEL

Wednesday, 22 October 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, 22ND OF OCTOBER 2014**  
**AT 9:30 a.m.**

Charlotte Pavilion Rd. Retail Inv., L.L....	14-658	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF OCTOBER 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 Hampton	14-394	Mecklenburg
State v Holleman	14-555	Stanly
State v Davis	14-575	Buncombe
State v Highsmith	14-608	Pitt
State v Gardner	14-646	Rowan
State v Harris	14-681	Iredell
Ellis v Ellis	14-451	Mecklenburg
Steele v Bowden,	14-573	Orange
Bobbitt v Eizenga,	14-586	Davie
Wheless v Maria Parham Med. Ctr., Inc.,...	14-612	Vance
Taylor v Taylor	14-673	Buncombe

Sent Date: 3 October 2014

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 22 October 2014

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE DOUGLAS MCCULLOUGH

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

Supplee, v Miller-Motte Bus. Coll.,	14-670	New Hanover
Williams v Livingstone Coll., Inc.	14-696	Rowan

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF OCTOBER 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 Baker	14-501	Mecklenburg
State v Turner	14-560	Rockingham
State v Lightsey	14-576	Onslow
State v Barnes	14-632	Edgecombe
State v Coffman	14-648	Henderson
State v Cox	14-692	Henderson
Scheerer, v Fisher,	14-478	Haywood
Clark v Bichsel	14-577	Wake
Olatoye v Burlington Coat Factory Wareho...	14-590	Durham
Atkinson v Reikowsky	14-624	Surry

Sent Date: 3 October 2014

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## COURT CALENDAR BY PANEL

Thursday, 23 October 2014

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE DONNA STROUD  
HONORABLE LISA C. BELL

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 23RD OF OCTOBER 2014**  
**AT 9:30 a.m.**

State v Johnson	14-566	Johnston
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF OCTOBER 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 Phillipson	14-583	Haywood
State v Moore	14-636	Cabarrus
State v Smith	14-663	Duplin
State v Patterson	14-714	Davidson
MYC Klepper/Brandon Knolls L.L.C. v The ...	14-539	Buncombe
Olavarria v Marriott	14-579	Wake
Premier Res. Of N. Carolina, Inc., v Kel...	14-602	Mecklenburg
Rigsbee v Walsh	14-628	Onslow
Wells Fargo Bank, N.A. v Corneal,	14-660	Dare
Witcher v Parsons,	14-684	Guilford

Sent Date: 3 October 2014

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 27 October 2014

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **27 OCTOBER 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: M.N.M.	14-587	Rowan
In re: N.G.H.	14-621	Pender
In re: H.H. & R.H.	14-650	Polk
In re: M.S.K.	14-651	Caldwell
In re: J.R.W.	14-657	Guilford
In re: G.J.K.	14-668	Haywood

Sent Date: 3 October 2014