

# 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 April 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 6TH OF APRIL 2015 AT 1:00 p.m.**

Eldridge v B & G Express,	14-1283	N.C. Industrial Commission
The Times News Publ'g Co. v The Alamance...	15-99	Alamance

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 6TH OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Calderon,	14-1131	Cleveland
State v Thomsen	14-1235	Moore
State v Putnam	14-1304	Cleveland
Campbell v Campbell	14-1155	Wake
Carter Neighbors Ltd. v The Edwin Rector...	14-1212	Catawba
Faucette, v 6303 Carmel Rd., LLC,	14-1248	Mecklenburg
Brownstead v Brownstead	14-1316	Mecklenburg

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 6 April 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 APRIL 2015** 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: P.A.	14-1086	Buncombe
In re: L.S. & T.S.	14-1122	Onslow
In Re: S.A.O. & S.P.W.	14-1226	Cabarrus
In re: J.T.M.	14-1241	Burke
In re: D.A.C.	14-1242	Randolph
In re: C.B.	14-1365	New Hanover

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## COURT CALENDAR BY PANEL

Tuesday, 7 April 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 7TH OF APRIL 2015 AT 9:30 a.m.**

State v Hardy	14-1320	Wayne
Head v Adams Farm Living, Inc.	14-1353	Guilford

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

**North Carolina Central University School of Law  
The Moot Courtroom  
640 Nelson Street  
Durham, NC 27707**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Gibbs	14-1052	Carteret
State v Sells	14-1163	Stanly
Moore v Mohawk Indus., Inc.,	14-1058	N.C. Industrial Commission
Wilkes v City of Greenville	14-1193	N.C. Industrial Commission
Simmons v Waddell	14-1214	Moore
Ward v Nucapital Assocs., Inc.,	14-1249	Wake
In re ALEXANDRA OSTEYEE-HOFFMAN	14-1287	Iredell

Sent Date: 10 March 2015

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## COURT CALENDAR BY PANEL

Tuesday, 7 April 2015

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE MARTHA A. GEER  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Surratt	14-1150	Catawba
State v Brown	14-1190	New Hanover
State v Clark	14-1277	Caldwell
Frischia v Bank of Am., N.A.,	14-1125	Mecklenburg
Fields v Fields	14-1204	New Hanover
Jackson v NC Dep't Of Com. Div. Of Emp't...	14-1247	Davidson
In re: Vienna Baptist Church	14-1267	Property Tax Commission
Vogel v Food Lion,	14-1301	N.C. Industrial Commission
United Cmty. Bank v Wolfe,	14-1309	Transylvania

Sent Date: 10 March 2015

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## COURT CALENDAR BY PANEL

Wednesday, 8 April 2015

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF APRIL 2015 AT 9:30 a.m.**

State v Howard	14-1021	Durham
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Fryou	14-1168	Avery
State v Hoyle	14-1238	Lincoln
Willis v Willis	14-1090	Moore
Robinson v Univ. of N. Carolina Health C...	14-1194	Durham
Huggins v Marlatex Corp.,	14-1232	N.C. Industrial Commission
Bell v Locklear	14-1256	Robeson
Dewey Wright Well & Pump Co., Inc. v Wor...	14-1293	Watauga
Integon Nat'l Ins. Co. v Mooring,	14-1303	Wayne

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## COURT CALENDAR BY PANEL

Wednesday, 8 April 2015

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF APRIL 2015 AT 1:00 p.m.**

SCA-Blue Ridge, LLC, v WakeMed	14-1291	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF APRIL 2015.** 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	14-1057	Wake
State v Branch	14-1180	Duplin
State v Hargett	14-1252	Craven
Fintchre v Duke Univ.,	14-1096	Durham
George v Cooper	14-1195	Lincoln
In re: C.E.N.	14-1243	Forsyth
Funderburk v JPMorgan Chase Bank, N.A.,	14-1258	Guilford
N.C. Dept. of Pub. Safety v Tucker	14-1308	Beaufort

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## Supplemental Calendar

Monday, 13 April 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **13 APRIL 2015** 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 Bolick	14-1072	Catawba
State v Hammonds	14-1134	Union
State v Bailey	14-1151	Buncombe
State v Johnson	14-1170	Mecklenburg
State v Bryant	14-1218	Lenoir
State v Mack	14-1221	Guilford
State v Graham	14-1229	Cabarrus
State v Clyburn	14-1275	Union
State v Spry	14-1279	Guilford
State v McPhail	14-1280	Mecklenburg

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## COURT CALENDAR BY PANEL

Monday, 20 April 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 20TH OF APRIL 2015 AT 1:00 p.m.**

Parker v Town of Erwin,	14-1340	Harnett
Hardison v Goodyear Tire & Rubber Co.,	14-1391	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 20TH OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Collington	14-1244	Transylvania
State v Ingram	14-1305	Avery
State v Love	14-1330	Scotland
Leonard v Transylvania Cnty. Dept Of So...	14-1091	Transylvania
Salzer, v King Kong Zoo,	14-1211	Cherokee
Atl. Coast Props., Inc. v Saunders,	14-1278	Currituck
Marsico v New Hanover Cnty. Bd. Of Educ.	14-1370	New Hanover



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## 3.1 Calendar

Monday, 20 April 2015

PANEL NO. 0

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In re: A.L.T. & C.T.	14-1121	Caldwell
In re: I.L-M.	14-1233	Cumberland
In re: M.S.	14-1273	Beaufort
In Re: J.C., H.C., & M.S.	14-1327	Cherokee
In re: D.L.W., D.L.N.W., V.A.W.	14-1341	Alamance
In Re: T.A.P., & A.C.K., III	14-1382	Caldwell

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## COURT CALENDAR BY PANEL

Tuesday, 21 April 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 21ST OF APRIL 2015 AT 9:30 a.m.**

The Residences At Biltmore Condo. v Powe...	14-1222	Buncombe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Oxendine,	14-1236	Robeson
State v Jimenez	14-1294	Onslow
State v Badson	14-1321	Wake
Davis v Williams	14-1143	Mecklenburg
Smith v NC Dept. of Pub. Safety	14-1282	Rowan
Builders Mut. Ins. Co. v Doug Besaw Ente...	14-1343	Wake
Malloy v Preslar,	14-1371	Anson
E. Hardwood Co. v Block 39, LLC,	14-1398	Carteret

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## COURT CALENDAR BY PANEL

Wednesday, 22 April 2015

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF APRIL 2015 AT 9:30 a.m.**

Chanin Props. Inv., Inc., v The Lodges A...	14-1161	Avery
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Knight	14-1015	Wake
State v Toomer	14-1246	Alamance
State v Miller	14-1310	Mecklenburg
Carpenter v Carpenter	14-1066	Orange
Wheeler v Parsons	14-1240	Wilkes
Dominguez v Francisco Dominguez Masonry,...	14-1307	N.C. Industrial Commission
Stokes v Crumpton	14-1344	Wake
Elam, v William Douglas Mgmt., Inc.,	14-1377	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 22 April 2015

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF APRIL 2015 AT 1:00 p.m.**

Wells v City of Wilmington	14-1367	New Hanover
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Jefferies	14-1104	Cleveland
State v Holt	14-1290	Johnston
State v Robinson	14-1311	Union
Howard, v OrthoCarolina, P.A.,	14-1075	Mecklenburg
Kohn v FirstHealth Of The Carolinas, Inc...	14-1210	Moore
Garrett v Burris	14-1257	Mecklenburg
In Re: Lall	14-1325	Iredell
Crosby v Select Portfolio Servicing, Inc...	14-1388	Dare

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## COURT CALENDAR BY PANEL

Thursday, 23 April 2015

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE MARTHA A. GEER  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 23RD OF APRIL 2015 AT 9:30 a.m.**

State v Hicks	14-1175	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF APRIL 2015.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Bryant	14-1300	Wake
State v Jefferies	14-1313	Guilford
Roseboro v Roseboro	14-1084	Forsyth
Castro v Thomas	14-1177	Guilford
Welch v Willey	14-1264	Pitt
King, v Pender Cnty.,	14-1336	Pender
Fipps v Fisher	14-1352	Orange
Walker v Holden Temporaries, Inc.,	14-1389	N.C. Industrial Commission

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 27 April 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **27 APRIL 2015** 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 Rumley	14-1162	Rockingham
State v Arnott	14-1199	Henderson
State v McKenzie	14-1216	Scotland
State v Moore	14-1263	Haywood
State v Davis	14-1322	Buncombe
State v Grissett	14-1361	Brunswick
State v Saunders	14-1395	Moore
In re: T.E.B., III	14-1408	Wake