

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 10 August 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **10 AUGUST 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 Street	14-1297	Randolph
State v Weathers	15-112	McDowell
State v Dickens	15-182	Pitt
State v. Hinton	15-219	Pasquotank
State v Moser	15-270	Union
State v Covington	15-298	Rowan
State v Baldwin	15-299	Guilford

Sent Date: 27 July 2015

# North Carolina Court of Appeals

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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

Tuesday, 11 August 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 11TH OF AUGUST 2015 AT 9:30 a.m.**

Shannon v Testen,	15-64	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 11TH OF AUGUST 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 Thompson	15-4	New Hanover
State v Howard	15-16	Wake
State v Bloodworth	15-42	Beaufort
State v King	15-54	Brunswick
State v Curtis	15-74	Guilford
State v Howard	15-96	Mecklenburg
Landover Homeowners Ass'n, Inc. v Sander...	14-1337	Wake
Frazier v NC Cent. Univ.	15-23	Durham
Abells v Abells	15-88	Wilson
Crystal Coast Invs., LLC v Lafayette SC,...	15-118	Wake
Gao v Jain	15-136	Union

Sent Date: 16 July 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 12 August 2015

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF AUGUST 2015**  
**AT 9:30 a.m.**

Anderson, v N. C. State Bd. Of Elections	14-1369	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF AUGUST 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 Perkins	15-5	Wake
State v Mann	15-30	Mecklenburg
State v Alley	15-43	Person
State v Lopez	15-60	Wake
State v Hackney	15-82	Wake
State v Layne	15-98	Wilkes
Delgado v Petruk,	15-34	Mecklenburg
Capital Bank v S. Saunders Redevelopment...	15-77	Wake
Dechkovskaia v Dechkovskaia	15-91	Orange
In re The Will Of: Fuller	15-125	Guilford
Brittian v Brittian,	15-139	Burke

Sent Date: 16 July 2015

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## COURT CALENDAR BY PANEL

Wednesday, 12 August 2015

### PANEL NO. 4

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF AUGUST 2015**  
**AT 1:00 p.m.**

State v McGraw	15-6	Polk
Piazza, v Kirkbride,	15-48	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF AUGUST 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 Manno	15-33	Cleveland
State v Williams	15-49	Vance
State v Gamble	15-71	Guilford
State v Mangum	15-86	Durham
State v Huey	15-100	Mecklenburg
In re: Foreclosure Of: Johnson	14-1414	Mecklenburg
Hill v Hill	15-79	Buncombe
Fed. Point Yacht Club v Moore	15-92	New Hanover
Comstock v Comstock	15-126	Mecklenburg
Faircloth v Faircloth	15-179	Rockingham

Sent Date: 16 July 2015

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## COURT CALENDAR BY PANEL

Thursday, 13 August 2015

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 13TH OF AUGUST 2015 AT 9:30 a.m.**

Wake Med v Surgical Care Affiliates, LLC	15-127	Wake
Ketchie, v Fieldcrest Cannon, Inc.,	15-140	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 13TH OF AUGUST 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 Watts	15-15	Mecklenburg
State v McLamb	15-39	Sampson
State v Hammonds	15-53	Union
State v Ross	15-73	Wake
State v McNeill	15-94	Cumberland
State v Dale	15-105	Orange
In re: R.D.	15-17	Mecklenburg
Bobber v Bobber	15-61	Carteret
Sartori v NC Dep't of Pub. Safety,	15-84	Wake
Mansfield v Real Est. Plus, Inc.,	15-117	Craven

Sent Date: 16 July 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 17 August 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **17 AUGUST 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: T.Y-S. & N.S.	15-24	Cumberland
In re: S.D.	15-122	Wake
In Re: M.J.C.J.	15-153	Burke
In re: D.H., J.H., J.H.	15-237	Brunswick
In re: A.L.M.M., J.D.W., C.D.M., M.L.M.	15-263	Guilford
In re: X.G.M., C.S.L.B., S.M.B., Jr.	15-399	Iredell

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## COURT CALENDAR BY PANEL

Monday, 24 August 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICK ELMORE  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 24TH OF AUGUST 2015 AT 1:00 p.m.**

Nies v Town of Emerald Isle	15-169	Carteret
Bank of Am., N.A. v Rice,	15-251	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 24TH OF AUGUST 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 Henry	15-124	Columbus
State v Patterson	15-138	Iredell
State v Jacobs	15-160	Moore
State v Goins	15-184	Gaston
State v Harris	15-214	Wake
State v Bolton	15-224	Guilford
Robinson v Cain	15-181	Henderson
Fusco v Allen Design Assocs., Inc.,	15-202	Mecklenburg
FCCI Ins. Grp. v Hinesley,	15-208	Durham
Friedman, v Raintite Seamless Gutters, L...	15-232	Chatham

Sent Date: 30 July 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 24 August 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **24 AUGUST 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.E.B., L.A.B., E.M.B., & J.N.B.	14-1364	Wake
In re: X.M.E.R.	15-141	Guilford
In The Matters Of: T.E. & K.E., Jr.	15-261	Ashe
In re: A.D.B. & A.D.B.	15-400	Greene
In re: K.E.T.	15-430	Warren
In re: E.G., B.G., E.G.	15-434	Avery



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## COURT CALENDAR BY PANEL

Tuesday, 25 August 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARTHA A. GEER  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 25TH OF AUGUST 2015 AT 9:30 a.m.**

Smith v Smith	15-185	Mecklenburg
Clarke, ex rel v Mikhail,	15-235	Onslow

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 25TH OF AUGUST 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 Batayneh	15-132	Wake
State v Mustard	15-147	Cleveland
State v Biddix	15-161	Catawba
State v Lewis	15-191	Jones
State v Richardson	15-215	Wake
State v Wilson	15-234	Henderson
Goolsby v Neal	15-170	Transylvania
Mull v Eubanks	15-204	Transylvania
Armstrong v Pentz	15-216	Alamance
Holder v Kunath	15-250	Polk

Sent Date: 30 July 2015

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## COURT CALENDAR BY PANEL

Wednesday, 26 August 2015

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF AUGUST 2015**  
**AT 9:30 a.m.**

Cherry, v Wiesner,	15-155	Wake
E. Brooks Wilkins Fam. Med., P.A. v Wake...	15-217	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF AUGUST 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 Portillo	14-1206	Forsyth
State v Davis	15-133	Mecklenburg
State v Marshall	15-149	Wake
State v Bizzell	15-163	Duplin
State v Rader	15-192	Forsyth
State v Barefoot	15-218	Henderson
Emp't Staffing Grp., Inc. v Little	15-171	Cleveland
Taylor v Lackey	15-186	Burke
Adams v Lewis	15-205	Beaufort
Steele v City of Durham	15-246	Durham

Sent Date: 30 July 2015

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## COURT CALENDAR BY PANEL

Wednesday, 26 August 2015

### PANEL NO. 4

HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF AUGUST 2015**  
**AT 1:00 p.m.**

Spoor v Barth,	15-172	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF AUGUST 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 Black	15-107	Lincoln
State v Bryant	15-134	Cabarrus
State v Juarez	15-152	Wake
State v Jones	15-173	Guilford
State v Gilmore & Shealey	15-193	Guilford
State v Davis	15-220	Rowan
Jay v Jay	15-156	Mecklenburg
Credit Union Auto Buying Serv., Inc. v B...	15-187	Forsyth
Fox v Johnson	15-206	Guilford
Willard v Willard	15-227	Wake
In re: Rawls	15-248	Caldwell

Sent Date: 30 July 2015

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## COURT CALENDAR BY PANEL

Thursday, 27 August 2015

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 27TH OF AUGUST 2015 AT 9:30 a.m.**

State v Hardison	15-150	Craven
A.C.L. Mortg. Servs., L.L.C., v Runskips...	15-249	Rockingham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 27TH OF AUGUST 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 Bunsie	15-111	Buncombe
State v Jefferies	15-137	Cleveland
State v Teeter	15-176	Mecklenburg
State v Hurtado	15-211	Wake
State v Davis	15-222	Wake
Paykert v Coleman	15-165	Guilford
Lund v Lund	15-175	Buncombe
Rios v NC Dep't Of Health & Hum. Servs.	15-201	Wayne
Alston v Hueske	15-207	Orange
Chen v Zou	15-228	Mecklenburg

Sent Date: 30 July 2015