

# 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

Tuesday, 8 September 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, 8TH OF SEPTEMBER 2015 AT 9:30 a.m.**

State v Crisco	15-272	Cumberland
Savage v Zelent	15-282	Carteret
Edwards v Reddy Ice	15-308	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF SEPTEMBER 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 Austin	15-44	Wake
State v Miller	15-162	Macon
State v Hooks	15-212	Cabarrus
State v Hazel	15-243	Columbus
State v Felton	15-268	Pasquotank
Setzler v Setzler	15-209	Catawba
DWC3, Inc., v Kissel	15-252	Iredell
Scheffer v Dalton	15-264	Iredell
In re: D.M.B.	15-315	Buncombe

Sent Date: 12 August 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Tuesday, 8 September 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 SEPTEMBER 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: E.L.E.	15-113	Ashe
In re: J.R.	15-286	Wake
In re: R.D.	15-330	Mecklenburg
In re: S.V.C., S.D.C., P.R.C., III, K.L....	15-359	Forsyth
In Re: J.H.	15-398	Harnett
In re: A.K.L.N.	15-429	Caldwell

Sent Date: 14 August 2015

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## COURT CALENDAR BY PANEL

Wednesday, 9 September 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, 9TH OF SEPTEMBER 2015 AT 9:30 a.m.**

Campbell v The City of Statesville	15-329	Iredell
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF SEPTEMBER 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 Phillips	15-57	Gaston
State v Nelson	15-194	Cabarrus
State v McCullough	15-221	Forsyth
State v Cox	15-244	Mecklenburg
State v Moultry	15-267	Mecklenburg
State v McClure	15-273	Cabarrus
Milligan v Winston-Salem/Forsyth Cnty. S...	15-231	N.C. Industrial Commission
Lasecki v Lasecki	15-253	Iredell
Whitehurst v Alexander Cnty.,	15-265	Alexander
Underwood v Hudson	15-283	Wayne
Stevens v United States Cold Storage, In...	15-310	N.C. Industrial Commission

Sent Date: 12 August 2015

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## COURT CALENDAR BY PANEL

Wednesday, 9 September 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, 9TH OF SEPTEMBER 2015 AT 1:00 p.m.**

Ray, v B. Keith Forgy, M.D., P.A.,	15-236	Burke
L. Offices Of Peter H. Priest, PLLC v Co...	15-254	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF SEPTEMBER 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 Sanchez	14-1381	Gaston
State v Nyberg	15-58	Wake
State v Easter	15-199	Carteret
State v Kersey	15-240	Mecklenburg
State v Eaton	15-255	Forsyth
State v Anderson	15-269	Catawba
Burger v Smith	15-180	Brunswick
Morrison v Wal-Mart,	15-274	N.C. Industrial Commission
Pickett v Advance Auto Parts,	15-285	N.C. Industrial Commission
Antiquity, LLC v Electricities Of NC, In...	15-311	Wilkes

Sent Date: 12 August 2015

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## COURT CALENDAR BY PANEL

Thursday, 10 September 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, 10TH OF SEPTEMBER 2015** **AT 9:30 a.m.**

State v Kirk	15-83	Cumberland
Swan Beach Corolla, L.L.C., v Cnty. of C...	15-293	Currituck

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF SEPTEMBER 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 Williams	15-12	Union
State v Reeves	15-210	Lincoln
State v Aultman	15-242	Duplin
State v Hamilton	15-256	Craven
State v McCurry	15-271	Rutherford
Bullard, ex rel v Peak Steel, L.L.C.	15-188	Robeson
Phillips v Haynes	15-245	Davidson
Farrell v Thomas	15-257	Wake
Hertzberg v Fur Specialists, Inc.,	15-280	Wake
Burris v Thomas	15-312	Gaston

Sent Date: 12 August 2015

# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 14 September 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **14 SEPTEMBER 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: K.A. & W.A.	15-262	Mecklenburg
In re: M.L.N. & E.J.N.	15-301	Chatham
In re: M.D., C.D., T.D.	15-432	Cumberland
In re: C.T.M. & C.S.F., Jr.	15-494	Rockingham
In re: D.L.B.	15-531	New Hanover
In re: C.M.G.	15-609	Moore

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## COURT CALENDAR BY PANEL

Monday, 21 September 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, 21ST OF SEPTEMBER 2015**  
**AT 1:00 p.m.**

State v Chapman	15-439	Union
Holt v NC DOT	15-445	N.C. Industrial Commission

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

**Charlotte School of Law**  
**201 S. College Street, Suite 400**  
**Courtroom 601**  
**Charlotte, N. C. 28244**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 21ST OF SEPTEMBER 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 Hatch	15-197	Durham
State v Hutton	15-276	Davidson
State v McCulloch	15-290	Cumberland
State v McLendon-Brown	15-302	Anson
State v Wise	15-317	Mecklenburg
France v NC Dep't Of Pub. Safety	15-190	N.C. Industrial Commission
Gandhi v Gandhi	15-328	Wake

## North Carolina Court of Appeals

Walker v The N.C. State Bd. Of Dental Ex...	15-337	Wake
Bacon v Universal Ins. Co.	15-370	Davidson
McKee v McKee	15-381	Cabarrus



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## COURT CALENDAR BY PANEL

Tuesday, 22 September 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 22ND OF SEPTEMBER 2015**  
**AT 3:00 p.m.**

State v Ford	15-75	Person
State v. Mastor	15-365	Iredell

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

**Wake Forest University School of Law  
Worrell Professional Center  
1834 Wake Forest Road  
Winston-Salem, N. C. 28106**

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## COURT CALENDAR BY PANEL

Tuesday, 22 September 2015

### PANEL NO. 2

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 22ND OF SEPTEMBER 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 Spinks	15-277	Franklin
State v Martin	15-294	Mecklenburg
State v Matsoake	15-304	Dare
State v Ledbetter	15-322	Lincoln
Miller v Miller	15-309	Cleveland
Smith v Smith	15-331	Mecklenburg
Piro v McKeever	15-351	Mecklenburg
Bost v Heller	15-362	Iredell
Murray v Univ. of NC At Chapel Hill	15-375	Orange
SCR-Tech LLC v Evonik Energy Servs. LLC	15-394	Mecklenburg

Sent Date: 3 September 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 23 September 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, 23RD OF SEPTEMBER 2015 AT 9:30 a.m.**

Berens v Berens	15-230	Mecklenburg
Long v Currituck Cnty.	15-376	Currituck

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF SEPTEMBER 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 Barnett	15-200	Rockingham
State v Cook	15-278	Guilford
State v Egan	15-297	Catawba
State v Smith	15-305	Buncombe
State v Pugh	15-323	Cumberland
State v Ingram	15-338	Mecklenburg
St. Peter v Lyon	15-332	Guilford
T.M.C.S., Inc. v Marco Contractors, Inc.	15-354	Forsyth
NC Farm Bureau Mut. Ins. Co. v Jarvis	15-364	Henderson
Meyer v Fargo Cattle Co., Inc.	15-395	Wake

Sent Date: 3 September 2015

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## COURT CALENDAR BY PANEL

Wednesday, 23 September 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, 23RD OF SEPTEMBER 2015 AT 1:00 p.m.**

Point S. Props., LLC v Cape Fear Pub. Ut...	15-371	New Hanover
CB Windswept, LLC v Cape Fear Pub. Util....	15-374	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF SEPTEMBER 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 McClure	15-266	Mecklenburg
State v Curtis	15-279	Forsyth
State v Miller	15-295	Mecklenburg
State v Stone	15-314	Person
State v Singleton	15-325	Mecklenburg
State v Walker	15-340	Mecklenburg
Stallings v Stallings	15-327	Nash
Pandure v Pandure	15-336	Hoke
Dixon v Dixon	15-355	Rowan
Houston Enters., Inc. v Bradley	15-403	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 24 September 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, 24TH OF SEPTEMBER 2015**  
**AT 9:30 a.m.**

United States Cold Storage, Inc. v Town ...	15-341	Duplin
NC Dep't Of Pub. Safety v Owens	15-367	Lenoir

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 24TH OF SEPTEMBER 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 Mendoza-Mejia	14-1261	Wake
State v Hutchens	15-275	Burke
State v Walls	15-289	Guilford
State v Ricks	15-300	Alamance
State v Graves	15-316	Guilford
State v Ballard	15-335	Martin
NC Dep't Of Pub. Safety v Shields	15-154	Nash
Sartori v NC Dept. of Pub. Safety	15-319	Wake
D'Alessandro v D'Alessandro	15-357	Wake
Epley v Ingber	15-378	Mecklenburg

Sent Date: 3 September 2015

# North Carolina Court of Appeals

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

Monday, 28 September 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **28 SEPTEMBER 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.

Tate v N.C. Dep't of Pub. Safety	14-1274	N.C. Industrial Commission
State v Lawing	14-1288	Mecklenburg
State v Fowler	15-239	Person
State v McClenny	15-306	Tyrrell
State v Dixon	15-318	New Hanover
State v Artis	15-339	Wake
State v Hudgins	15-345	Madison
State v. Damato	15-469	Wake

Sent Date: 11 September 2015