

# 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, 5 October 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 5TH OF OCTOBER 2015 AT 1:00 p.m.**

State v. Martin	15-468	Carteret
In re: Fox Den Dev., LLC	15-471	Iredell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 5TH OF OCTOBER 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 Rainey	15-307	Mecklenburg
State v Vallejo	15-388	Wake
State v Thorne	15-404	Pasquotank
State v York	15-419	Forsyth
State v Joyner	15-442	Iredell
Hunter-Rainey v NC Cent. Univ.,	15-178	Wake
Wilson Funeral Dirs., Inc. v NC Bd. of F...	15-321	Henderson
Anderson-Green v N.C. Dep't of Health & ...	15-405	N.C. Industrial Commission
In re: J.L.H.	15-431	Halifax
Johnson v Starboard Ass'n, Inc.	15-451	Mecklenburg

Sent Date: 14 September 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 5 October 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **5 OCTOBER 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.W.B., S.J.B., T.J.B., S.J.	15-348	Ashe
In re: K.W.	15-435	Wake
In re: S.A.G.	15-466	Guilford
In re I.S. & D.S.	15-502	Sampson
In re: D.C.J.	15-503	Watauga
In re: B.J.L.	15-576	Buncombe

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## COURT CALENDAR BY PANEL

Tuesday, 6 October 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 6TH OF OCTOBER 2015 AT 9:30 a.m.**

State v Watkins	15-443	Buncombe
B S K Enters., Inc., v Beroth Oil Co.	15-189	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF OCTOBER 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 McLaughlin	15-333	Cabarrus
State v Bohannon	15-389	Forsyth
State v Lewis	15-408	Columbus
State v Dawson	15-420	Wake
State v. Peele	15-480	Lenoir
Khashman v Khashman	15-361	Mecklenburg
Ready v Ready	15-412	Mecklenburg
Inspection Station No. 31327 v The NC Di...	15-436	Wake
Epic Games, Inc. v Murphy-Johnson	15-454	Wake
Afr. Methodist Episcopal Zion Church v. ...	15-470	Sampson

Sent Date: 14 September 2015

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## COURT CALENDAR BY PANEL

Wednesday, 7 October 2015

### PANEL NO. 3

HONORABLE MARTHA A. GEER  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

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

Town of Beech Mountain v Genesis Wildlif...	15-260	Watauga
Davis v Hulsing Hotels N. Carolina, Inc.	15-368	Mecklenburg
Town of Beech Mountain v. Genesis Wildli...	15-517	Watauga

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF OCTOBER 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 McClelland	15-344	Rowan
State v Thomson	15-390	Haywood
State v Oliveros	15-411	Mecklenburg
State v Grady	15-433	Wayne
State v Mellon	15-459	Lincoln
State v. Martinez	15-483	Forsyth
Morgan-McCoart v Matchette	15-416	Watauga
Harris v Gilchrist	15-437	Wake
Underwood v Ordonez	15-455	Wake

Sent Date: 14 September 2015

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## COURT CALENDAR BY PANEL

Wednesday, 7 October 2015

### PANEL NO. 4

HONORABLE LINDA STEPHENS  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF OCTOBER 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 Cooley	15-352	Wake
State v Kpaeyeh	15-391	Guilford
State v Travis	15-413	Alamance
State v Smalls	15-440	Johnston
State v Gardner	15-462	Pitt
State v. Benjamin	15-485	Cleveland
Eisenberg v Hammond	15-287	Wake
Am. Mech., Inc. v Bostic	15-385	Randolph
Yates Constr. Co., Inc. v Bostic	15-422	Rockingham
Lucas & Beach, Inc. v. Agri-E. Grp., Inc...	15-463	Martin
In re: Ballard	15-475	Iredell
Phillips & Jordan, Inc. v. Bostic	15-525	Graham

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## COURT CALENDAR BY PANEL

Thursday, 8 October 2015

### PANEL NO. 5

HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

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

Thomas Jefferson Classical Acad. Charter...	15-464	Cleveland
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF OCTOBER 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	15-358	Columbus
State v Teague	15-392	Alexander
State v Ledbetter	15-414	Rowan
State v Holland	15-441	Guilford
State v. Bess	15-467	Guilford
State v. Hicks	15-491	Avery
Fulford v Jenkins,	15-296	Duplin
The Assurance Grp., Inc. v Bare	15-386	Randolph
Driggers v Joyner	15-424	Wake
Kelley v Andrews	15-448	Durham
Collins v. Collins	15-481	Alamance

Sent Date: 14 September 2015

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 12 October 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **12 OCTOBER 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 Morgan	15-85	Durham
State v Luke	15-241	New Hanover
State v Sullivan	15-343	Guilford
State v Dunlap	15-372	Moore
State v Barber	15-396	Forsyth
State v Curry	15-410	Union
State v. Nanney	15-476	Buncombe
State v. Darby	15-482	Person
State v. Wilson	15-536	Guilford

Sent Date: 29 September 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Monday, 19 October 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 19TH OF OCTOBER 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 Sumo	15-447	Mecklenburg
State v. Aine	15-490	Cumberland
State v. Gray	15-500	Edgecombe
State v. George	15-535	Mecklenburg
State v. Williams	15-551	Forsyth
State v. Frazier	15-568	Randolph
Barron v Eastpointe Hum. Servs., LME	15-380	Greene
Buckner v Tigerswan, Inc.	15-446	Wake
Tillery v. Tillery	15-506	Wilson
In re: A.L., Jr.	15-529	Chatham
Greenshields, Inc. v. Travelers Prop. Ca...	15-539	Wake
In re: P.R.	15-552	Alamance

Sent Date: 29 September 2015



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## COURT CALENDAR BY PANEL

Tuesday, 20 October 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 20TH OF OCTOBER 2015 AT 10:00 a.m.**

State v. Collins	15-540	Forsyth
State v. Thompson	15-633	Onslow

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

**North Carolina Central University School of Law  
640 Nelson Street  
Durham, N. C. 27707**

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## COURT CALENDAR BY PANEL

Tuesday, 20 October 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 20TH OF OCTOBER 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 Wilder	15-145	Franklin
State v Merricks	15-198	Orange
State v. Blount	15-555	Mecklenburg
State v. Chase	15-608	Craven
Cushman v Cushman	15-233	Pamlico
Stokes v Drug Safety Alliance, Inc.	15-382	Chatham
Howze v. Dhillon	15-465	Mecklenburg
In re: J.I.	15-516	Halifax
Parker v. Arcaro Drive Homeowners Ass'n	15-530	Guilford
Powell v. P2Enterprises, LLC	15-542	Forsyth

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## COURT CALENDAR BY PANEL

Wednesday, 21 October 2015

### PANEL NO. 3

HONORABLE MARTHA A. GEER  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

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

In re: Michelin N. Am., Inc.                      15-415                      Property Tax Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF OCTOBER 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 Nwanguma	15-313	Durham
State v Crook	15-458	Buncombe
State v. Maness	15-497	Randolph
State v. Oxendine	15-508	Union
State v. Osteen	15-546	Henderson
State v. Martinez	15-558	Wake
Lueck v Lueck	15-334	Sampson
Hall v. Greene	15-486	Durham
Bennett v. Stokes Cnty.	15-520	N.C. Industrial Commission
McLennan v. Josey	15-533	Halifax
Williamson v. Whitfield	15-543	Franklin

Sent Date: 29 September 2015

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## COURT CALENDAR BY PANEL

Wednesday, 21 October 2015

### PANEL NO. 4

HONORABLE LINDA STEPHENS  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF OCTOBER 2015**  
**AT 1:00 p.m.**

People For The Ethical Treatment Of Anim...	15-366	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF OCTOBER 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 Reed	15-363	Onslow
State v Crandell	15-461	Johnston
State v. Moore	15-498	Surry
State v. Thach	15-511	Perquimans
State v. Dulin	15-547	Forsyth
State v. Martin	15-566	Pitt
Montessori Children's House of Durham v ...	15-406	Durham
In re: Herndon	15-488	Sampson
Allen Indus., Inc. v. Kluttz	15-521	Guilford
Bullock v. Hopler	15-537	Durham
Sugar Mountain Ski Resort, LLC v. Vill. ...	15-544	Avery

Sent Date: 29 September 2015

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## COURT CALENDAR BY PANEL

Thursday, 22 October 2015

### PANEL NO. 5

HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

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

Bilodeau v. Hickory Bluffs Cmty. Servs. ...	15-501	Onslow
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 22ND OF OCTOBER 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 Pinnix	15-387	Caswell
State v. Valencia	15-477	Wake
State v. Warren	15-499	Carteret
State v. Hallum	15-526	Buncombe
State v. Harrell	15-550	Forsyth
State v. Compton	15-567	Wake
Graphic Arts Mut. Ins. Co. v NC Ass'n Of...	15-377	Onslow
Brady v Adams	15-438	Macon
Glenn v. Johnson	15-523	Orange
Wilson v. Wilson	15-538	Randolph
Reavis v. Collins	15-545	Wilkes

Sent Date: 29 September 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 26 October 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **26 OCTOBER 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: M.C. & A.C.	15-247	Alexander
In re: A.E., J.M., T.B.	15-326	Transylvania
In re: P.S.	15-449	Cabarrus
In re: S.K. & G.K.	15-561	Orange
In re: J.H.	15-579	Chatham
In re: K.H.	15-628	Orange