

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 2 November 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **2 NOVEMBER 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 Carver	15-303	Haywood
State v Biggs	15-393	Chowan
State v Harp	15-409	Vance
State v Lowery	15-425	Gaston
State v Motley	15-452	Nash
State v. Jarvis	15-496	Buncombe
State v. Inman	15-510	Cumberland
State v. McLaughlin	15-528	Hoke
State v. Brinson	15-602	Edgecombe
State v. Marsh	15-631	Cabarrus

Sent Date: 20 October 2015

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Tuesday, 3 November 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, 3RD OF NOVEMBER 2015 AT 9:30 a.m.**

Blackburn v. NC Dep't Of Pub. Safety	15-556	Office of Admin. Hearings
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF NOVEMBER 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. McLean	15-513	Lincoln
State v. Jones	15-569	Guilford
State v. Gates	15-584	Onslow
State v. Springle	15-597	Carteret
State v. Smith	15-614	Wake
State v. Blakeney	15-622	Union
In re: Cullifer	15-426	Onslow
Meadows v. Meadows	15-527	Granville
Falin v. The Roberts Co. Field Servs., I...	15-565	N.C. Industrial Commission
In re: Cain	15-591	Cumberland
Pirolli v. Schulz Stephenson L.	15-593	Harnett

Sent Date: 13 October 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 4 November 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, 4TH OF NOVEMBER 2015**  
**AT 9:30 a.m.**

Old Republic Nat'l Title Ins. Co. v Hart...	15-444	Durham
In re: Cranor	15-541	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF NOVEMBER 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 Holden	15-460	Vance
State v. Sellers	15-534	Mecklenburg
State v. Stephens	15-571	Forsyth
State v. Tomlinson	15-585	Edgecombe
State v. Baker	15-600	Forsyth
State v. Stith	15-615	Johnston
In re: Smith	15-195	Columbus
Bigelow v. Sassafras Grove Baptist Churc...	15-557	Caswell
In re: Lucks	15-581	Buncombe
Cumberland Cnty. Hosp. Sys., Inc. v. N.C...	15-592	Office of Admin. Hearings

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## COURT CALENDAR BY PANEL

Wednesday, 4 November 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, 4TH OF NOVEMBER 2015**  
**AT 1:00 p.m.**

The City of Charlotte v. Univ. Fin. Prop...	15-473	Mecklenburg
NC Dept. of Pub. Safety v. Ledford	15-595	Madison

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF NOVEMBER 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 Duncan	15-324	Buncombe
State v. Murchison	15-563	Columbus
State v. Shaw	15-573	Catawba
State v. Chaves	15-587	Durham
State v. Poteat	15-603	Cabarrus
State v. Battle	15-617	Johnston
Tuwamo v Tuwamo	15-356	Mecklenburg
Speer v. Great W. Bank	15-553	Mecklenburg
Perquimans Cnty. v. Vanhorn	15-562	Perquimans
Beaufort Builders, Inc. v. White Plains ...	15-582	Beaufort

Sent Date: 13 October 2015

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## COURT CALENDAR BY PANEL

Thursday, 5 November 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, 5TH OF NOVEMBER 2015**  
**AT 9:30 a.m.**

In re: NC Rate Bureau	15-402	N.C. Dept. of Insurance
Easter-Rozzelle v. City of Charlotte	15-594	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 5TH OF NOVEMBER 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. Tolbert	15-479	Caldwell
State v. Marshall	15-560	Wake
State v. Farrow	15-583	New Hanover
State v. Dozier	15-586	Wake
State v. Whisenant	15-607	Catawba
State v. Lindsay	15-618	Cumberland
Renfrow v. NC Dep't of Revenue	15-472	Office of Admin. Hearings
Merritt v. Sampson Cnty. Bd. of Educ.	15-554	N.C. Industrial Commission
Phaeton Aviation, Inc. v. 360 Aviation, ...	15-564	Wake
Howard v. Chambers	15-590	Durham

Sent Date: 13 October 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 9 November 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **9 NOVEMBER 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: J.C.B.	15-373	Henderson
In re: S.E.M.	15-524	Guilford
In re: F.C.D.	15-577	Sampson
In re: M.B.	15-578	Sampson
In re: J.E.J.	15-616	Wake
In re: O.M.	15-692	Forsyth

Sent Date: 7 October 2015

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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## COURT CALENDAR BY PANEL

Monday, 16 November 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE CHRIS DILLON  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 16TH OF NOVEMBER 2015 AT 1:00 p.m.**

In re: Hughes	15-699	N.C. Industrial Commission
In re: Redmond	15-763	N.C. Industrial Commission
In re: Smith	15-829	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 16TH OF NOVEMBER 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. Coxton	15-575	Mecklenburg
State v. Rogers	15-642	Randolph
State v. Wilson	15-664	New Hanover
State v. Maye	15-676	Union
State v. Farabee	15-696	Davidson
State v. Phillips	15-730	Forsyth
Hayes v. Waltz	15-605	Wake
State v. Carter	15-629	Watauga
Kee v. Waffle House, Inc.	15-646	N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Tuesday, 17 November 2015

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARTHA A. GEER  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 17TH OF NOVEMBER 2015 AT 9:30 a.m.**

State v. James	15-684	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF NOVEMBER 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. Hunichen	15-632	Johnston
State v. Waters	15-645	Iredell
State v. Ellis	15-665	Wayne
State v. Allen	15-708	Surry
State v. Bullock	15-731	Durham
Anzures v. Walbecq	15-611	Catawba
In re: C.A.G.	15-634	New Hanover
Harrison v. Gemma Power Sys., LLC	15-647	N.C. Industrial Commission
Lennon v. N.C. Dep't of Justice	15-660	Office of Admin. Hearings
Lewis v. Sackie	15-672	Mecklenburg
McCormick v. Exel/DPWN Holdings, Inc.	15-690	N.C. Industrial Commission

Sent Date: 28 October 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 18 November 2015

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF NOVEMBER 2015 AT 9:30 a.m.**

The NC State Bar v. Tillett	15-610	Disciplinary Hearing Commission
Heron Bay Acquisition, LLC v. United Met...	15-652	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF NOVEMBER 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	15-635	Mecklenburg
State v. Baker	15-649	Wake
State v. Pugh	15-666	Martin
State v. Waters	15-686	Cleveland
State v. Eury	15-709	Mecklenburg
State v. Sellers	15-733	Forsyth
In re: Price	15-639	Ashe
Eltringham v. Rose	15-662	New Hanover
Ramirez v. Briegan Constr. Servs., Inc.	15-673	N.C. Industrial Commission
Huff v. NC Dep't of Pub. Safety	15-703	Office of Admin. Hearings

Sent Date: 28 October 2015

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 18 November 2015

### PANEL NO. 4

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF NOVEMBER 2015 AT 2:00 p.m.**

State v. Miller	15-636	Watauga
In re: Williams	15-619	Mecklenburg

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

**Rowan County Courthouse, Courtroom 19-C**  
**232 N. Main Street**  
**Salisbury, N. C. 28144**

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## COURT CALENDAR BY PANEL

Wednesday, 18 November 2015

### PANEL NO. 4

HONORABLE LINDA STEPHENS  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF NOVEMBER 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. Byrd	15-478	Wake
State v. McKinnon	15-650	Wayne
State v. Drummer	15-671	Johnston
State v. Moore	15-687	Henderson
State v. Watson	15-715	Hertford
TD Bank, N.A. v. Williams	15-598	McDowell
RL Regi N. Carolina, LLC v. Lighthouse C...	15-641	New Hanover
Gilchrist v Vasquez	15-653	Mecklenburg
Eagle v. Eagle	15-668	New Hanover
Friday Invs., LLC v. Bally Total Fitness...	15-680	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 19 November 2015

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 19TH OF NOVEMBER 2015**  
**AT 9:30 a.m.**

State v. Collins	15-659	Beaufort
Booth v. State	15-640	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 19TH OF NOVEMBER 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. Spence	15-549	Wake
State v. Legrande	15-638	Forsyth
State v. Todd	15-670	Wake
State v. Molina	15-695	Union
State v. McGee	15-722	Forsyth
In re: A.S.	15-604	Orange
Yerby v. NC Dep't Of Pub. Safety/Div. Of...	15-620	N.C. Industrial Commission
Jenkins v. Batts	15-655	Edgecombe
Breath v. Orthocarolina	15-669	N.C. Industrial Commission
Wells Fargo Bank, N.A. v. Am. Nat'l Bank...	15-689	Alamance

Sent Date: 28 October 2015

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 23 November 2015

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **23 NOVEMBER 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: L.M., C.M. & I.M.	15-401	Mecklenburg
In re: J.R. & A.R.	15-599	Lincoln
In re: J.P.	15-677	Alleghany
In re: M.A.M.	15-713	Wake
In re: J.I.M.	15-748	Macon
In re: T.G.	15-754	Greene

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## COURT CALENDAR BY PANEL

Monday, 30 November 2015

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE CHRIS DILLON  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 30TH OF NOVEMBER 2015 AT 1:00 p.m.**

Blue v. Mountaire Farms, Inc.	15-751	Robeson
Boyd v. Rekuc	15-780	Wake
In re: House	15-879	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 30TH OF NOVEMBER 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 Cannon	15-292	Cleveland
State v. Davis	15-507	Edgecombe
State v. Luckadoo	15-775	Martin
Payne v Payne	15-457	Stokes
Bennett v. Hospice & Palliative Care Ctr...	15-667	Alamance
Mills Int'l, Inc. v. Holmes	15-720	Johnston
Blake v. Harris	15-736	Guilford
Richards v. Tim Bell Racing, LLC	15-742	Iredell
Haynes v. NC Sch. Of The Arts	15-758	Office of Admin. Hearings

Sent Date: 10 November 2015