

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 4 April 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **4 APRIL 2016** 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: Carrithers	15-867	Guilford
In re: K.L.C.	15-960	Clay
In re: A.S.K. & J.A.K.	15-1061	Caldwell
In re: A.M.	15-1099	Wake
In re: J.S.	15-1129	Cumberland
In re: M.S.	15-1162	Harnett

Sent Date: 3 March 2016

# 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, 11 April 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 11TH OF APRIL 2016.**  
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Baskins	15-1088	Guilford
State v. Corey	15-1207	Caldwell
State v. Covington	15-1240	Alamance
Hatcher v. Matthews	15-1167	Guilford
In re: Peacock	15-1238	New Hanover
In re: Joyce	15-1318	N.C. Industrial Commission
In re: F.C.D.	15-1178	Sampson
In re: C.M.	15-1223	Robeson
In re: K.D.	15-1365	Columbus

Sent Date: 15 March 2016

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 11 April 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **11 APRIL 2016** 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. Akbas	15-943	Yadkin
State v. Surrent	15-973	Haywood
State v. Kearse	15-994	Onslow
State v. Guin	15-1007	Union
State v. Bass	15-1067	Wayne
State v. Lassiter	15-1075	Wayne
State v. Foxworth	15-1092	Guilford
State v. Lane	15-1164	Wake
State v. Lasco	15-1172	Edgecombe
State v. Gustavino	15-1193	Buncombe

Sent Date: 28 March 2016

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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## COURT CALENDAR BY PANEL

Tuesday, 12 April 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 12TH OF APRIL 2016 AT 9:30 a.m.**

Winkler v. State Bd. of Exam'rs Of Plumb...	15-1257	Watauga
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 12TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Molina	15-1180	Johnston
State v. Lassiter	15-1216	Pitt
State v. Whitley	15-1246	Wake
Ebron v. Am. Red Cross	15-1166	N.C. Industrial Commission
Trudel v. TCI Architects/Eng'rs/Contract...	15-1297	N.C. Industrial Commission
In re: J.S.K. & J.E.K.	15-1185	Cabarrus
In re: S.Z.H.	15-1270	Randolph
In re: I.H. & T.H.	15-1373	Surry

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## COURT CALENDAR BY PANEL

Wednesday, 13 April 2016

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF APRIL 2016 AT 9:30 a.m.**

NC Coastal Fed'n v. NC Dep't of Env't	15-1058	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF APRIL 2016**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Fields	15-1086	Alamance
State v. Jones	15-1187	Davie
State v. Smith	15-1220	Mecklenburg
Nguyen v. Heller-Nguyen	15-1186	Wake
Ponder v. Ponder	15-1277	Mecklenburg
In re: K.L.	15-1130	Robeson
In re: C.A.D. & B.E.R.	15-1195	Cumberland
In re: J.W.M.	15-1287	Henderson

Sent Date: 15 March 2016

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 13 April 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF APRIL 2016 AT 1:00 p.m.**

In re: Timberlake

15-1202

Franklin

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Frione

15-1143

Columbus

State v. Munjal

15-1203

Buncombe

State v. Bowser

15-1232

Camden

Jordan v. Bradsher

15-808

Wake

Riggsbee v. Durham City Transit Co.

15-1276

N.C. Industrial Commission

In re: E.R.M.D.

15-1131

Rutherford

In re: C.N.H-P, M.S.N.P., A.D.S., M.C-N...

15-1199

Wake

In re: K.P.

15-1319

Cumberland

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## COURT CALENDAR BY PANEL

Thursday, 14 April 2016

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE CHRIS DILLON  
HONORABLE VALERIE J. ZACHARY

**Note: Judge Mark A. Davis will sit for Judge Valerie J. Zachary - COA#15-1275.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 14TH OF APRIL 2016 AT 9:30 a.m.**

Adams v. State of NC

15-1275

Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 14TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Maynor

15-1159

Union

State v. Rich

15-1204

Sampson

State v. Lineberger

15-1233

Catawba

Young v. Young

15-1121

Iredell

Edwards v. The Trustees of Haywood Cmty....

15-1227

Haywood

In re: R.P., M.P., L.P.

15-1177

Forsyth

In re: N.J. & N.J.

15-1241

Johnston

In re: M.G., C.C-G., L.C-G.

15-1355

Mecklenburg

Sent Date: 15 March 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 18 April 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **18 APRIL 2016** 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: A.T., A.T.T., J.T.M.	15-931	Martin
In re: A.E.M. & J.I.J	15-1022	Guilford
In re: A.C.	15-1114	Buncombe
In re: K.S.	15-1165	Randolph
In re: L.A.S.	15-1224	Columbus
In re: X.D.G. & X.A.I.G.	15-1288	Caldwell

Sent Date: 17 March 2016

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Monday, 25 April 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 25TH OF APRIL 2016 AT 1:00 p.m.**

The NC State Bar v. Sutton	15-1198	Disciplinary Hearing Commission
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 25TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Wagner	15-1111	Rowan
State v. Lewis	15-1182	Brunswick
State v. Ashworth	15-1279	Orange
State v. Sellers	15-1309	Wake
State v. Brown	15-1347	Gaston
State v. Smith	15-1364	Wayne
Showfety v. Showfety	15-1328	Rowan
Messer v. Pollack	15-1351	Haywood

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## COURT CALENDAR BY PANEL

Tuesday, 26 April 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 26TH OF APRIL 2016 AT 9:30 a.m.**

Tetra Tech Tesoro, Inc. v. JAAAT Technic...	15-1369	Cumberland
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 26TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Hardy	15-1122	Wayne
State v. Soots	15-1262	Catawba
State v. Black	15-1283	Wake
State v. Robinson	15-1312	Mecklenburg
State v. Robinson	15-1358	Burke
State v. Dawson	15-1399	Scotland
Bell v. Goodyear Tire & Rubber Co.	15-1299	N.C. Industrial Commission
Spruill v. Westfield Ins. Co.	15-1329	Currituck

Sent Date: 31 March 2016

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 27 April 2016

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF APRIL 2016 AT 9:30 a.m.**

CSX Transp., Inc. v. City of Fayettevill...	15-1286	Cumberland
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Abrams	15-1144	Caldwell
State v. Gingras	15-1263	Nash
State v. Hinton-Davis	15-1290	Granville
State v. Armstrong	15-1324	Nash
State v. Fleming	16-37	Mecklenburg
State v. Fleming	16-43	Union
Kirkman v. N.C. Dep't of Com.	15-1332	Jackson
NewBridge Bank v. Hedgepeth	15-1372	Davidson

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## COURT CALENDAR BY PANEL

Wednesday, 27 April 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF APRIL 2016 AT 1:00 p.m.**

Corwin v. British Am. Tobacco PLC	15-1334	Guilford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Pigford	15-1047	Lenoir
State v. Patterson	15-1145	Mecklenburg
State v. Cannon	15-1272	Pitt
State v. Cole	15-1291	Alamance
State v. Pace	15-1338	Forsyth
State v Watson	15-1360	Mecklenburg
Covington v. Alan Vester Motor Co., Inc.	15-1002	Halifax
GreatAmerica Fin. Servs. Corp. v. Lillin...	15-1314	Wake

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## COURT CALENDAR BY PANEL

Thursday, 28 April 2016

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE CHRIS DILLON  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 28TH OF APRIL 2016.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Lutz	15-1081	Watauga
State v. Winslow	15-1181	Mecklenburg
State v. Dove	15-1273	Onslow
State v. Charleston	15-1306	Rowan
State v. Styers	15-1345	Surry
State v. Flake	15-1361	Madison
Ocracomax, LLC v. Davis	15-1171	Hyde
Graham v. Gullette	15-1327	Durham
Hampton v. Scales	15-1335	Stanly