

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 1 August 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **1 AUGUST 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. Ashford  | 15-1245 | Wayne       |
| State v. Davis    | 15-1268 | Hertford    |
| State v. Blount   | 15-1330 | Mecklenburg |
| State v. Black    | 15-1387 | Cabarrus    |
| State v. Pless    | 16-81   | Rowan       |
| State v. Mitchell | 16-110  | McDowell    |
| State v. Hill     | 16-133  | Buncombe    |
| State v. Moore    | 16-136  | Buncombe    |
| State v. Seegars  | 16-150  | Union       |

Sent Date: 18 July 2016

# North Carolina Court of Appeals

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One West Morgan Street  
Raleigh, North Carolina 27601

This calendar is available at: <https://appellate.nccourts.org/calendar.php?court=2>

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## COURT CALENDAR BY PANEL

Monday, 8 August 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 8TH OF AUGUST 2016 AT 1:00 p.m.**

|                                     |        |         |
|-------------------------------------|--------|---------|
| State v. Swink                      | 16-89  | Catawba |
| Campbell v. The City of Statesville | 16-101 | Iredell |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 8TH OF AUGUST 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. Rogers                             | 16-48   | New Hanover               |
| State v. Ore                                | 16-100  | Durham                    |
| State v. Lanclos                            | 16-122  | Jones                     |
| State v. Reynolds                           | 16-149  | Surry                     |
| State v. Downey                             | 16-164  | Richmond                  |
| Heard-Leak v. NC State Univ. Ctr. For Ur... | 15-1300 | Office of Admin. Hearings |
| Laprade v. Barry                            | 16-11   | Henderson                 |
| Plotseneder v. Entrepreneur High Sch., I... | 16-126  | Mecklenburg               |
| Baldelli v. Baldelli                        | 16-142  | Moore                     |

Sent Date: 18 July 2016

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## COURT CALENDAR BY PANEL

Tuesday, 9 August 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE JOHN M. TYSON  
HONORABLE LUCY N. INMAN

**Note:** Chief Linda M. McGee will sit for Judge Wanda G. Bryant  
- COA#15-1229.

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

|                                             |         |          |
|---------------------------------------------|---------|----------|
| Providence Volunteer Fire Dep't, Inc. v.... | 16-80   | Union    |
| NC Dept. of Transp. v. Mission Battlegro... | 16-125  | Guilford |
| NC State Bd. of Educ. v. The State of NC    | 15-1229 | Wake     |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF AUGUST 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. Ward                               | 16-52   | Mecklenburg                |
| State v. Whisenant                          | 16-82   | Haywood                    |
| State v. Walker                             | 16-109  | Hoke                       |
| State v. Manring                            | 16-130  | Forsyth                    |
| State v. McCann                             | 16-152  | Vance                      |
| State v. Garner                             | 16-289  | Randolph                   |
| Asheville Lakeview Props., LLC v. Lake V... | 15-1308 | Buncombe                   |
| Mannise v. Harrell                          | 16-42   | Harnett                    |
| Bailey v. McCorkle                          | 16-105  | Cabarrus                   |
| Pine v. Wal-Mart Assocs., Inc.              | 16-203  | N.C. Industrial Commission |

Sent Date: 18 July 2016

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## COURT CALENDAR BY PANEL

Wednesday, 10 August 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE MARK A. DAVIS  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF AUGUST 2016**  
**AT 9:30 a.m.**

|                                             |        |             |
|---------------------------------------------|--------|-------------|
| State v. Stroessenreuther                   | 16-151 | New Hanover |
| Brookline Residential, LLC v. City of Ch... | 16-202 | Mecklenburg |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF AUGUST 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. Schimmelpfenning                   | 15-1315 | Forsyth     |
| State v. Collins                            | 16-60   | Wake        |
| State v. Britt                              | 16-99   | Johnston    |
| State v. Roberson                           | 16-118  | Rowan       |
| State v. Laws                               | 16-134  | Yancey      |
| Chafin v. Chafin                            | 15-1152 | Guilford    |
| Hatton v. Garrett                           | 15-1322 | Mecklenburg |
| Scott v. Scott                              | 16-88   | Cumberland  |
| Heustess v. Bladenboro Emer. Servs., Inc... | 16-106  | Robeson     |
| Haire v. Kramer                             | 16-140  | Iredell     |

Sent Date: 18 July 2016

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## COURT CALENDAR BY PANEL

Thursday, 11 August 2016

### PANEL NO. 5

HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF AUGUST 2016 AT 9:30 a.m.**

|                   |       |             |
|-------------------|-------|-------------|
| State v. Loftis   | 16-65 | Pitt        |
| State v. Thompson | 16-94 | Mecklenburg |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF AUGUST 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. Sanchez                    | 15-1401 | Wake                       |
| State v. Ingram                     | 16-120  | Durham                     |
| State v. Hunt                       | 16-143  | Henderson                  |
| State v. McLean                     | 16-158  | Cumberland                 |
| Johnson v. NC Veterinary Med. Bd.   | 15-1278 | Cumberland                 |
| In re: Thompson                     | 15-1380 | Forsyth                    |
| In re: Lyle Dippell                 | 16-54   | Columbus                   |
| Yarborough v. Duke Univ.            | 16-86   | N.C. Industrial Commission |
| Hall v. Booth                       | 16-123  | Forsyth                    |
| Passmore v. Nat'l Retail Sys., Inc. | 16-141  | N.C. Industrial Commission |

Sent Date: 18 July 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 15 August 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 AUGUST 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: I.T.                             | 15-1342 | Wake        |
| In re: Z.B.                             | 16-128  | Wake        |
| In re: K.B. & L.R.                      | 16-155  | Mecklenburg |
| In re: E.R.S. & C.N.S.                  | 16-220  | Guilford    |
| In re: E.A.L. & W.L., III               | 16-266  | Caswell     |
| In re: B.N.H., B.N.H., C.A.H., & C.M.H. | 16-275  | Wilkes      |

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## COURT CALENDAR BY PANEL

Monday, 22 August 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE DONNA STROUD  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 22ND OF AUGUST 2016 AT 1:00 p.m.**

|                           |        |        |
|---------------------------|--------|--------|
| Bunch v. Britton          | 16-181 | Wake   |
| Currie v. The State of NC | 16-217 | Orange |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF AUGUST 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. Stroud                        | 16-59  | Duplin      |
| State v. Dubose                        | 16-169 | New Hanover |
| State v. Williams                      | 16-178 | Mecklenburg |
| State v. Younts                        | 16-213 | Buncombe    |
| State v. Burris                        | 16-238 | Cabarrus    |
| State v. Sanchez                       | 16-249 | Craven      |
| Lopp v. Anderson                       | 16-111 | Franklin    |
| Lopp v. Anderson                       | 16-112 | Franklin    |
| State Farm Mut. Auto. Ins. v. Phillips | 16-162 | Onslow      |
| Bank of Am., N.A. v. Rivera            | 16-166 | Mecklenburg |

Sent Date: 3 August 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 22 August 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **22 AUGUST 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.L.H. & E.C.H.        | 16-124 | Rockingham |
| In re: C.B.                   | 16-144 | Gaston     |
| In re: P.E.P.                 | 16-156 | Guilford   |
| In re: I.C., J.C., J.C., R.C. | 16-157 | Jackson    |
| In re: A.G. & J.H.            | 16-175 | Catawba    |
| In re: J.F.G., Jr.            | 16-205 | Forsyth    |

Sent Date: 25 July 2016



# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 22 August 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **22 AUGUST 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. Best   | 16-27  | Sampson      |
| State v James   | 16-35  | Wayne        |
| State v. Smith  | 16-61  | Hoke         |
| State v. Goode  | 16-83  | Wake         |
| State v. Reaves | 16-92  | Columbus     |
| State v. Haqq   | 16-168 | Catawba      |
| State v. Banks  | 16-182 | Transylvania |
| State v. Riddle | 16-197 | Buncombe     |
| In re: M.A.P.   | 16-279 | New Hanover  |

Sent Date: 9 August 2016

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## COURT CALENDAR BY PANEL

Tuesday, 23 August 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF AUGUST 2016 AT 9:30 a.m.**

|             |       |      |
|-------------|-------|------|
| Zhu v. Deng | 16-53 | Wake |
|-------------|-------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF AUGUST 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. Brown                         | 16-84  | Forsyth                    |
| State v. York                          | 16-170 | Guilford                   |
| State v. Watson                        | 16-184 | Johnston                   |
| State v. Turner                        | 16-214 | Rutherford                 |
| State v. Wilson                        | 16-243 | Alamance                   |
| State v. Ross                          | 16-254 | Cumberland                 |
| Kirkman v. N.C. Dep't of Pub. Safety   | 16-119 | N.C. Industrial Commission |
| Swofford, Inc. v. Fisher               | 16-145 | Rockingham                 |
| Williams v. Woodmen Found.             | 16-167 | Edgecombe                  |
| Bazargani v. Marks                     | 16-176 | Durham                     |
| Boggs v. N.C. Dep't of Env'tl. Quality | 16-188 | Office of Admin. Hearings  |

Sent Date: 3 August 2016

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## COURT CALENDAR BY PANEL

Wednesday, 24 August 2016

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE MARK A. DAVIS  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF AUGUST 2016**  
**AT 9:30 a.m.**

|                                  |        |          |
|----------------------------------|--------|----------|
| G.S.C. Holdings, LLC v. McCrory  | 16-160 | Randolph |
| T & A Amusements, LLC v. McCrory | 16-161 | Randolph |
| Eli Global, LLC v. Heavner       | 16-186 | Durham   |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF AUGUST 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. Smallwood     | 16-131 | Beaufort    |
| State v. Eldridge      | 16-173 | Watauga     |
| State v. Vazquez       | 16-191 | Pitt        |
| State v. Carlisle      | 16-228 | Wayne       |
| State v. Wint          | 16-244 | Durham      |
| State v. Allen         | 16-271 | Buncombe    |
| Henderson v. Henderson | 16-72  | Mecklenburg |
| Elder v. Williams      | 16-121 | Carteret    |
| Breighner v. Breighner | 16-146 | Moore       |

Sent Date: 3 August 2016

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## COURT CALENDAR BY PANEL

Thursday, 25 August 2016

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE RICHARD DIETZ

**Note: Judge Chris Dillon will sit for Judge Richard Dietz - COA#16-129.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 25TH OF AUGUST 2016 AT 9:30 a.m.**

Grubbs v. Grubbs

16-129

Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF AUGUST 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. McQueen

15-1161

Lee

State v. Bennett

16-165

Rowan

State v. Bradley

16-177

Jackson

State v. McGuire

16-198

Forsyth

State v. Williams

16-229

Guilford

State v. Bynes

16-245

Greene

Pinkney v. Pinkney

15-1362

Wake

McLean v. Bank of Am., N.A.

16-97

Franklin

Carolina Vision Invs. I, LLC v. Vaccaro

16-147

Iredell

Gurganus v. Gurganus

16-163

Onslow

In re: M.C.

16-171

Mecklenburg

Sent Date: 3 August 2016