

# 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, 6 September 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, 6TH OF SEPTEMBER 2016 AT 9:30 a.m.**

Buffa v. Cygnature Constr. & Dev., Inc.	16-237	Watauga
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF SEPTEMBER 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. Lucas	16-73	Wake
State v. Killian	16-268	Buncombe
State v. Jeffreys	16-285	Edgecombe
State v. Bowes	16-304	Alamance
State v. Applewhite	16-335	Wilson
State v. Manno	16-361	Cleveland
Willis v. Hamilton	16-148	Onslow
McAdams v. NC Dept. of Com.	16-196	Wake
Corbett v. Lynch	16-221	Davidson
In re: BARBARA HEDRICK	16-256	Buncombe
Williams v. Chaney	16-274	Lincoln

Sent Date: 16 August 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Tuesday, 6 September 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 SEPTEMBER 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: D.K.H. & D.T.H	16-174	Cabarrus
In re: J.S.M.O.	16-233	Henderson
In re: J.M.	16-265	Durham
In re: E.D.D-A. & R.R.D-A.	16-280	Buncombe
In re: A.M-M. & M.M-M.	16-282	Buncombe
In re: K.P. & C.P.	16-295	Orange

Sent Date: 1 August 2016

# North Carolina Court of Appeals

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One West Morgan Street  
Raleigh, North Carolina 27601

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## COURT CALENDAR BY PANEL

Wednesday, 7 September 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, 7TH OF SEPTEMBER 2016 AT 9:30 a.m.**

Fagundes v. Ammons Dev. Grp.	16-260	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF SEPTEMBER 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. Crosby	16-172	Forsyth
State v. Crowder	16-269	Mecklenburg
State v. Mears	16-286	Cleveland
State v. Muhammad	16-306	Mecklenburg
State v. Burton	16-343	Buncombe
State v. Mbaya	16-364	Mecklenburg
Terry v. State of NC	16-153	Wake
McMillan-Ervin v. Ervin	16-209	Orange
Hunter v. Niblack	16-231	Cleveland
Dawkins v. Wilmington Tr. Co.	16-240	Mecklenburg
Allied Spectrum, LLC v. German Auto Ctr....	16-283	Wake

Sent Date: 16 August 2016

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## COURT CALENDAR BY PANEL

Wednesday, 7 September 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE VALERIE J. ZACHARY  
HONORABLE WENDY M. ENOCHS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF SEPTEMBER 2016 AT 1:00 p.m.**

State v. Revels	16-318	Cleveland
Merrill v. Winston-Salem Forsyth Cty. Bd...	16-232	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF SEPTEMBER 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. Simmons	16-255	Duplin
State v. Bishop	16-276	Mecklenburg
State v. McGill	16-296	New Hanover
State v. Mangum	16-344	Pitt
State v. Hendricks	16-367	Mecklenburg
Stallings v. Jones	16-189	Wake
Walter v. Walter	16-210	Macon
Lytle v. NC Dep't of Pub. Safety	16-241	N.C. Industrial Commission
Bunch v. Bunch	16-263	Pitt
Snipes v. Britthaven, Inc.	16-291	Richmond

Sent Date: 16 August 2016

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## COURT CALENDAR BY PANEL

Thursday, 8 September 2016

### PANEL NO. 5

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF SEPTEMBER 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. Webb	16-267	Buncombe
State v. Silva	16-278	Forsyth
State v. Downey	16-302	Johnston
State v. Barrett	16-327	Wayne
State v. Bailey	16-356	Buncombe
State v. Frye	16-362	Randolph
Wilson v. Curtis	16-194	Durham
Bizzarro v. Cty. of Ashe	16-211	Ashe
Perry v. Bank of Am., N.A.	16-234	Stanly
Bates v. Gomezjuardo	16-242	Union
Gersing v. Accetturo	16-273	Avery
Lewis-Solar v. Town of Beech Mountain	16-321	Watauga

Sent Date: 16 August 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 12 September 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **12 SEPTEMBER 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: J.W., Z.W., J.F.	16-195	Durham
In re: Z.R.	16-204	Vance
Lowery v B.R.	16-218	Robeson
In re: N.G.F. & A.L.F.	16-297	Cumberland
In re: M.D.	16-325	Wake
In re: R.K.C. & J.O.C.	16-354	Buncombe

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## COURT CALENDAR BY PANEL

Monday, 19 September 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, 19TH OF SEPTEMBER 2016**  
**AT 1:00 p.m.**

Silver v. The Halifax Cty. Bd. of Commis...	16-313	Halifax
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 19TH OF SEPTEMBER 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. Wiggins	15-1385	Wake
State v. Street	16-307	Durham
State v. Lyons	16-365	Cleveland
State v. Higgins	16-404	Burke
State v. Reddick	16-451	Mecklenburg
State v. Johnson	16-491	Mecklenburg
Wolfe v. Wolfe	16-57	Catawba
In re: Boehm	16-299	Buncombe
Maitra v. Quarter Mile Muscle, Inc.	16-338	Iredell
J.H. Carter Builder, Inc. v. Swartz	16-360	Wake
Edwards v. Cole	16-395	Alexander

Sent Date: 30 August 2016

# North Carolina Court of Appeals

Court of Appeals Building  
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## 3.1 Calendar

Monday, 19 September 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **19 SEPTEMBER 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: M.R., J.R., Jr., P.R., H.R., E.R.	16-192	Rowan
In re: L.Z.A.	16-200	Mecklenburg
In re: J.F.	16-259	Forsyth
In re: G.T.	16-353	Buncombe
In re: E.B.	16-382	Alleghany
In re: D.S.	16-408	Wake



# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 19 September 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **19 SEPTEMBER 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. Wright	16-19	Stanly
State v. Gillis	16-226	Cabarrus
State v. Williams	16-235	Pitt
State v. Andrews	16-253	Edgecombe
State v. Mays	16-315	Guilford
State v. Leach	16-317	Iredell
State v. Blodgett	16-376	Catawba

Sent Date: 30 August 2016

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## COURT CALENDAR BY PANEL

Tuesday, 20 September 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 20TH OF SEPTEMBER 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. Eubanks	16-251	Orange
State v. Bell	16-326	Edgecombe
State v. Martinez	16-374	Mecklenburg
State v. Stubbs	16-411	Pender
State v. Fennell	16-441	Wayne
State v. Powell	16-499	Catawba
Sec. Nat'l Invs., Inc. v. Rice	16-215	Cumberland
Pass v. Brown	16-300	Davidson
Daisy v. Yost	16-324	Guilford
Bishop v. Cty. of Macon	16-350	Macon
Williams v. Perry	16-372	Rowan
Davis v. Davis	16-400	Dare

Sent Date: 30 August 2016

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## COURT CALENDAR BY PANEL

Wednesday, 21 September 2016

### PANEL NO. 3

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

**Note: Judge Douglas McCullough will sit for Judge Mark Davis  
- COA#16-390.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF SEPTEMBER 2016 AT 9:30 a.m.**

Sandhill Amusements, Inc. v. Sheriff of ...

16-390

Onslow

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF SEPTEMBER 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. Coker

16-180

Wake

State v. Brody

16-336

Mecklenburg

State v. Moore

16-377

Pitt

State v. Logan

16-418

Dare

State v. Thompson

16-459

Columbus

State v. Parson

16-502

Haywood

Turnip Invs., LLC v. Deutsche Bank Tr. C...

16-246

Jackson

Snyder v. Goodyear Tire & Rubber Co.

16-309

N.C. Industrial Commission

Mackeprang v. Mackeprang

16-333

Cumberland

Fullwood v. Barnes

16-357

Guilford

Cramer v. Perry

16-375

Wake

Sent Date: 30 August 2016

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## COURT CALENDAR BY PANEL

Wednesday, 21 September 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE VALERIE J. ZACHARY  
HONORABLE WENDY M. ENOCHS

**Note: Judge Linda Stephens will sit for Judge Wendy Enochs - COA#16-424.**

**Note: Judge Mark Davis will sit for Judge Wendy Enochs - COA#16-290.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF SEPTEMBER 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. Jones	16-290	Guilford
State v. Blake	16-348	Union
State v. Rousseau	16-380	Forsyth
State v. Miller	16-424	Guilford
State v. Pless	16-461	Iredell
State v. Hardy	16-506	Wayne
Hirschman v. Chatham Cty.	16-292	Chatham
Scoggin v. Scoggin	16-311	Onslow
Spitzer-Tremblay v. Wells Fargo Bank, N....	16-334	Orange
Hashemi v. Hashemi-Nejad	16-358	Wake
SED Holdings, LLC v. 3 Star Props., LLC	16-385	Durham
Hedden v. Isbell	16-406	Buncombe

Sent Date: 30 August 2016

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## COURT CALENDAR BY PANEL

Thursday, 22 September 2016

### PANEL NO. 5

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 22ND OF SEPTEMBER 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. Coleman	16-305	Guilford
State v. Battle	16-355	Duplin
State v. Laxton	16-386	Davie
State v. Thompson	16-435	Mecklenburg
State v. Jacobs	16-464	Bladen
State v. Stroessenreuther	16-511	New Hanover
Peoples v. Tuck	16-293	Vance
Brookbank v. Williams	16-312	Guilford
Darden v. Dep't of Pub. Safety	16-337	Office of Admin. Hearings
Madison Cty. Hous. Auth. v. Smith	16-359	Madison
Doe v. Catawba Coll.	16-394	Mecklenburg
Swaps, LLC v. ASL Props., Inc.	16-443	Union

Sent Date: 30 August 2016

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 26 September 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **26 SEPTEMBER 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: J.J.	16-225	Orange
In re: K.G.W.	16-247	Haywood
In re: J.J.	16-281	Orange
In re: T.H.H.	16-301	New Hanover
In re: R.G.B. & V.J.B.	16-328	Sampson
In re: T.W.	16-399	Mecklenburg

Sent Date: 6 September 2016