

# 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, 7 March 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE DONNA STROUD  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 7TH OF MARCH 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. Vang	15-1069	Catawba
State v. Hicks	15-1098	Forsyth
State v. Brown	15-1192	New Hanover
Roberts v. Thompson	15-704	Durham
DOT v. Wood	15-1044	Watauga
Cordrey v. Flinn	15-1084	Brunswick
Dillard v. Vester	15-1135	Haywood
Zetino-Cruz v. Benitez-Zetino	15-1154	Durham
Barker v. Hatteras Island Cottage Repair	15-1205	N.C. Industrial Commission

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## 3.1 Calendar

Monday, 7 March 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **7 MARCH 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.E.	15-790	Randolph
In re: A.L.M. & M.T.M.	15-809	Rowan
In re: W.P.B., B.D.J., A.G.J., B.J.J.	15-818	Watauga
In re: D.J.D., R.M.D., J.J.D.	15-930	Union
In re: M.B.B.	15-983	Wilkes
In re: M.A.N.	15-1040	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 8 March 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF MARCH 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. Frazier	15-1089	Guilford
State v. Johnson	15-1156	Gaston
State v. Cain	15-1208	Guilford
Freeman v. Spence	15-971	Cherokee
In re Adoption Of: C.H.M.	15-1057	Wake
In re: Garrett	15-1083	Mecklenburg
Berens v. Berens	15-1136	Mecklenburg
Osman v. Al Jaher	15-1170	Guilford
Air Accuracy, Inc. v. Clark	15-1206	Guilford

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## COURT CALENDAR BY PANEL

Wednesday, 9 March 2016

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE CHRIS DILLON  
HONORABLE RICHARD DIETZ

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

Vincoli v. State	15-1013	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF MARCH 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. Metzger	15-1093	Wayne
State v. Dowell	15-1158	Forsyth
State v. Marisic	15-1211	Onslow
Reid v. State	15-1059	Anson
Foss v. Miller	15-1106	Iredell
Sawyer v. Sawyer	15-1142	Swain
D.K. v. Albemarle Hosp. Auth.	15-1190	Pasquotank
Naylon v. Naylon	15-1247	New Hanover

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## COURT CALENDAR BY PANEL

Wednesday, 9 March 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, 9TH OF MARCH 2016 AT 2:00 p.m.**

State v. Crook	15-893	Henderson
In re: Korfmann	15-1005	Wilson

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

**Elon University School of Law  
Robert E. Long Courtroom  
201 N. Greene Street  
Greensboro, N. C. 27401**

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## COURT CALENDAR BY PANEL

Wednesday, 9 March 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF MARCH 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. Sellers	15-1163	Randolph
State v. Watkins	15-1221	Madison
DOT v. Ashcroft Dev., LLC	15-1080	Rockingham
Lytle v. NC Dep't of Pub. Safety	15-1117	N.C. Industrial Commission
Gonzalez v. Tidy Maids, Inc.	15-1149	N.C. Industrial Commission
Whichard v. CH Mortg. Co., Inc.	15-1200	Guilford
Turchin v. ENBE, LLC	15-1236	Avery

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## COURT CALENDAR BY PANEL

Thursday, 10 March 2016

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE JOHN M. TYSON  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF MARCH 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. Murrell	15-1097	Onslow
State v. Beaver	15-1179	Lincoln
State v. Carter	15-1234	Forsyth
Gonzalez v. Capital Nephrology Assocs., ...	15-1027	Wake
Hart v. Brienza	15-1078	Gaston
Cumberland Cty. v. Cheeks	15-1127	Cumberland
Daughtridge v. The NC Zoological Soc'y, ...	15-1151	Halifax
Whicker v. Compass Grp. USA, Inc.	15-1201	N.C. Industrial Commission

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## 3.1 Calendar

Monday, 14 March 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **14 MARCH 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: S.R.M.F.	15-968	Henderson
In re: S.N. & C.W.	15-975	Durham
In re: M.B.	15-990	Durham
In re: D.B. & B.B.	15-1023	Davie
In re: N.S.W.	15-1048	Guilford
In re: J.L., Jr., F.L., C.L., J.L.	15-1096	Robeson



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## COURT CALENDAR BY PANEL

Tuesday, 29 March 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF MARCH 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. Cardenas	15-1012	Wake
State v. Oakley	15-1126	Iredell
State v. Lindsey	15-1188	Union
Tully v. City of Wilmington	15-956	New Hanover
Keaton v. ERMC III	15-1108	N.C. Industrial Commission
In Re: Garrett	15-1118	Mecklenburg
Vaughan v. Mashburn	15-1230	Iredell
In re: Sanders	15-1244	Johnston
Johnson v. Gooden	15-1259	Bladen

Sent Date: 1 March 2016

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## COURT CALENDAR BY PANEL

Wednesday, 30 March 2016

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE CHRIS DILLON  
HONORABLE RICHARD DIETZ

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

Cape Hatteras Electric Membership Corp. ...      15-1102      Dare

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF MARCH 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. Clapp	15-1079	Guilford
State v. Barnes	15-1173	Gaston
State v. Williams	15-1212	Edgecombe
Young v. Lowes Home Ctr., Inc.	15-1077	N.C. Industrial Commission
Allmond v. Goodnight	15-1139	Guilford
Simon v. Simon	15-1231	Iredell
Dammons v. NC Dep't of Pub. Safety	15-1252	N.C. Industrial Commission
The Town of Beech Mountain v. Milligan	15-1267	Watauga

Sent Date: 1 March 2016

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## COURT CALENDAR BY PANEL

Wednesday, 30 March 2016

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF MARCH 2016 AT 1:00 p.m.**

State v. Jones	15-1239	Randolph
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF MARCH 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. Martin	15-1104	Forsyth
State v. Hooker	15-1175	Forsyth
Sessions v. Sloane	15-1095	Forsyth
In re: Derrick Woodard	15-1116	Wake
Sony Pictures Entm't, Inc. v. Henderson	15-1217	Cumberland
CarolinaEast Med. Ctr. v. Jarman	15-1237	Craven
CarolinaEast Med. Ctr. v. Westbrook	15-1243	Craven
In re: Alex Shackelford	15-1266	Wake

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## COURT CALENDAR BY PANEL

Thursday, 31 March 2016

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE JOHN M. TYSON  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 31ST OF MARCH 2016 AT 9:30 a.m.**

State v. Singletary	15-1125	Guilford
Se. Caissons, LLC v. Choate Constr. Co.	15-1284	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 31ST OF MARCH 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. Goins	15-1183	Guilford
State v. Wall	15-1235	Davie
Alford v. Green	15-1101	Granville
Henkel v. Triangle Homes, Inc.	15-1123	Avery
Wilson v. Wilson	15-1141	Durham
Henderson v. Garcia Motorrad, LLC	15-1250	Wake
Nereim v. Cummins	15-1253	Mecklenburg

Sent Date: 1 March 2016