

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 |

North Carolina Court of Appeals

Court of Appeals Building
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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 |
|------------------|---------|------|

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 |
|----------------|---------|----------|

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 |

Sent Date: 1 March 2016

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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