

# 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>

## COURT CALENDAR BY PANEL

Monday, 3 October 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 3RD OF OCTOBER 2016 AT 1:00 p.m.**

State v. Schalow	16-330	Henderson
Wiley v. L3 Commc'ns Vertex Aerospace, ...	16-460	Cumberland

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 3RD OF OCTOBER 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. Mendoza	16-224	Forsyth
State v. Whitehead	16-294	Nash
State v. Butler	16-412	Guilford
State v. Walker	16-423	Forsyth
State v. Stanley	16-436	Forsyth
Harris v. N.C. Dep't of Pub. Safety	16-341	Office of Admin. Hearings
Jackson/Hill Aviation, Inc. v. Town of O...	16-396	Brunswick
Lee v. Moore	16-415	Bladen
Mastny v. Mastny	16-440	Wake
Norton v. Scotland Mem'l Hosp., Inc.	16-530	Scotland

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## COURT CALENDAR BY PANEL

Tuesday, 4 October 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 4TH OF OCTOBER 2016 AT 3:00 p.m.**

State v. Bass	16-421	Wake
Hildebran Heritage & Dev. Ass'n, Inc. v....	16-568	Burke

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

**Wake Forest University School of Law  
Worrell Professional Center  
Room 1312  
Winston Salem, N. C. 27106**

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## COURT CALENDAR BY PANEL

Tuesday, 4 October 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 4TH OF OCTOBER 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. Whatley	16-284	Mecklenburg
State v. Howell	16-303	Transylvania
State v. Courtney	16-366	Wake
State v. Manning	16-442	Wake
State v. Wilson	16-496	Lenoir
Dillon v. Dillon	16-349	Mecklenburg
Sparrow v. Tyco Integrated Sec.	16-409	N.C. Industrial Commission
Kanellos v. Kanellos	16-416	Union
Doss v. Adams	16-446	Nash
Townsend v. N.C. Dep't of Transp.	16-478	N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Wednesday, 5 October 2016

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF OCTOBER 2016**  
**AT 9:30 a.m.**

State v. Hyman	16-398	Bertie
Almason v. Almason	16-258	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF OCTOBER 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. Rios	16-108	Guilford
State v. Smith	16-236	Forsyth
State v. James	16-314	Mecklenburg
State v. Moore	16-422	Cabarrus
State v. Frazier	16-449	Randolph
Edwards v. Edwards	16-346	New Hanover
Flynn v. Schamens	16-410	Mecklenburg
Baker v. Gibbons	16-417	Hoke
Parker v. West Pharm. Servs.	16-447	N.C. Industrial Commission
Goodwin v. Four Cty. Electric Care Tr., ...	16-481	Sampson

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## COURT CALENDAR BY PANEL

Wednesday, 5 October 2016

### PANEL NO. 4

HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN  
HONORABLE WENDY M. ENOCHS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF OCTOBER 2016**  
**AT 1:00 p.m.**

Pittsboro Matters, Inc. v. Town of Pitts...	16-323	Chatham
Beal v. Coastal Carriers, Inc.	16-420	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF OCTOBER 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. Marshall	16-22	Johnston
State v. Flood	16-252	Alamance
State v. Zubierna	16-316	Buncombe
State v. Hogg	16-379	Watauga
State v. Johnson	16-465	Onslow
State v. Robinson	16-490	Onslow
McKnight v. Lowe's Home Ctrs., LLC	16-391	N.C. Industrial Commission
Hartford v. Hartford	16-413	Moore
Uttley v. Smith	16-463	Wake
Sergeef v. Sergeef	16-489	New Hanover

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## COURT CALENDAR BY PANEL

Thursday, 6 October 2016

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 6TH OF OCTOBER 2016 AT 9:30 a.m.**

Williford v. NC Dep't of Health & Hum. S...	16-393	Sampson
WASCO LLC v. N.C. Dep't Of Env't & Nat. ...	16-414	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 6TH OF OCTOBER 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. Locklear	16-179	Catawba
State v. Davis	16-288	Forsyth
State v. Faulkner	16-319	Person
State v. Kirkman	16-407	Guilford
State v. Williams	16-432	New Hanover
State v. Cooper	16-483	Columbus
Porter v. Porter	16-329	New Hanover
Terrell v. Kernersville Chrysler Dodge, ...	16-429	Forsyth
Shelley v. Cty. of Henderson	16-475	Henderson
City of Greensboro v. Fewell	16-501	Guilford

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## COURT CALENDAR BY PANEL

Monday, 17 October 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE JOHN M. TYSON  
HONORABLE WENDY M. ENOCHS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 17TH OF OCTOBER 2016 AT 2:00 p.m.**

NC Farm Bureau Mut. Ins. Co. v. Hull	16-522	Davidson
Head v. Gould Killian CPA Grp., P.A.	16-525	Buncombe

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

**Davidson County Courthouse  
Courtroom A  
110 West Center Street  
Lexington, N. C. 27292**

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## COURT CALENDAR BY PANEL

Monday, 17 October 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 17TH OF OCTOBER 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. Weaver	16-378	Currituck
State v. Hargett	16-452	Craven
State v. Johnson	16-509	Wake
Cole v. N.C. Dep't of Pub. Safety	16-340	Office of Admin. Hearings
In re: A.E.C.	16-495	Cumberland
In re: K.R. & K.R.	16-583	Guilford
In re: P.T.W.	16-632	Wake



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## COURT CALENDAR BY PANEL

Tuesday, 18 October 2016

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 18TH OF OCTOBER 2016 AT 9:30 a.m.**

State v. Curtis	16-458	Caldwell
State v. Turner	16-656	Caldwell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 18TH OF OCTOBER 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. Holloway	16-381	Rutherford
Dep't of Transp. v. Riddle	16-445	Cumberland
Randall v. Cloud & Williams, PLLC	16-477	Mecklenburg
Reece v. Sodexo, Inc.	16-508	N.C. Industrial Commission
In re: K.D.	16-546	New Hanover
In re: J.B. & J.B.	16-585	Wake
In re: A.S., S.S., B.S., L.S.	16-664	Wayne

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## COURT CALENDAR BY PANEL

Wednesday, 19 October 2016

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF OCTOBER 2016**  
**AT 9:30 a.m.**

The Times News Publ'g Co. v. The Alamanc...	16-588	Alamance
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF OCTOBER 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. Hudson	16-431	Mecklenburg
State v. Moore	16-493	Orange
State v. Williams	16-514	Sampson
McVicker v. Bogue Sound Yacht Club, Inc.	16-456	Carteret
In re: J.M.C.	16-485	Cabarrus
In re: D.M.O.	16-575	Orange
In re: T.S.	16-587	Forsyth
In re: A.G.	16-687	Scotland

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## COURT CALENDAR BY PANEL

Wednesday, 19 October 2016

PANEL NO. 4

HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN  
HONORABLE WENDY M. ENOCHS

**Note: Chief Linda McGee will sit for Judge Davis -  
COA#16-373.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF OCTOBER 2016**  
**AT 1:00 p.m.**

Town of Belhaven, NC v. Pantego Creek, L...	16-373	Beaufort
Lennon v. NC Jud'I Dep't	16-476	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF OCTOBER 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. Bagley	16-262	Durham
State v. Beary	16-433	Wake
State v. Tolliver	16-500	Haywood
Mills v. NC Dept of Health & Hum. Servs...	16-487	Haywood
In re: Patron	16-322	Randolph
In re: A.H. & C.H.	16-581	Durham
In re: T.R.	16-597	Wake

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## COURT CALENDAR BY PANEL

Thursday, 20 October 2016

PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE DONNA STROUD  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 20TH OF OCTOBER 2016**  
**AT 10:00 a.m.**

State v. Talbert	16-389	Henderson
State v. McLean	16-484	Scotland

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

**North Carolina Central University School of Law**  
**640 Nelson Street**  
**Durham, N. C. 27707**

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## COURT CALENDAR BY PANEL

Thursday, 20 October 2016

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 20TH OF OCTOBER 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. Mitchell	16-448	Wake
Mitchell v. Pruden	16-428	New Hanover
Judith M. Daly Att'y at L., P.A. v. McKe...	16-466	Iredell
Huff v. Caudle	16-507	Transylvania
In re: K.D.I.	16-467	Sampson
In re: B.S., D.S., J.S.	16-582	Wake
In re: C.W.G.	16-598	Cleveland