

# 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, 1 November 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, 1ST OF NOVEMBER 2016 AT 9:30 a.m.**

Johnson v. Johnsonow	16-528	Orange
The News & Observer Publ'g Co. v. McCror...	16-725	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 1ST OF NOVEMBER 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. Reeger	16-342	Gaston
State v. Watkins	16-434	Cabarrus
State v. Younts	16-523	Randolph
Adelman v. Gantt	16-339	Mecklenburg
In re: S.A.A.	16-540	Alamance
Myles v. LMS, Inc.	16-548	N.C. Industrial Commission
Neckles v. Harris Teeter	16-569	N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Wednesday, 2 November 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, 2ND OF NOVEMBER 2016**  
**AT 9:30 a.m.**

The Goodyear Tire & Rubber Co. v. Comm'r...	16-520	Cumberland
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 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. Stewart	16-347	Guilford
State v. Farrow	16-450	Hyde
State v. Parker	16-524	Pitt
In re: A.S.W.	16-370	Watauga
Sadler v. Hall	16-547	Jackson
Rountree v. Chowan Cty.	16-555	Chowan
Koehn v. Holley	16-586	Wake
Mauney v. Carroll	16-594	Burke

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## COURT CALENDAR BY PANEL

Wednesday, 2 November 2016

### PANEL NO. 4

HONORABLE LINDA M. MCGEE  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 2016**  
**AT 1:30 p.m.**

State v. Clay	16-564	Cabarrus
Holmes v. Associated Pipe Line Contracto...	16-593	N.C. Industrial Commission

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

**Charlotte School of Law**  
**201 S. College Street, Suite 400**  
**Courtroom 601**  
**Charlotte, N. C. 28244**

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## COURT CALENDAR BY PANEL

Wednesday, 2 November 2016

### PANEL NO. 4

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 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. Glisson	16-426	Jones
State v. Neal	16-510	Mecklenburg
Crowder v. Baldor Electric	16-403	N.C. Industrial Commission
Grennan v. Grennan	16-531	New Hanover
Goodwin v. City of Charlotte	16-551	N.C. Industrial Commission
Alexander v. Alexander	16-556	Macon
Gause v. New Hanover Reg'l Med. Ctr.	16-595	New Hanover

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## COURT CALENDAR BY PANEL

Thursday, 3 November 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, 3RD OF NOVEMBER 2016**  
**AT 9:30 a.m.**

S. Shores Realty Servs., Inc. v. Miller	16-557	Dare
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 3RD OF NOVEMBER 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. Johnson	16-193	Mecklenburg
State v. Valentine	16-427	New Hanover
State v. Curlee	16-515	Davie
Lenoir Cty. v. Davis	16-298	Lenoir
Miller v. Miller	16-486	Chatham
Thornton v. C&J Carriage House	16-538	N.C. Industrial Commission
Terry v. The Cheesecake Factory Rests., ...	16-549	Durham
RME Mgmt., LLC v. Chapel H.O.M. Assocs.,...	16-596	Orange

Sent Date: 11 October 2016

# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 7 November 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **7 NOVEMBER 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: B.M.A.	16-419	Transylvania
In re: B.S., Jr. & H.S.	16-438	Robeson
In re: D.L.P. & H.L.P.	16-468	Rutherford
In re: H.B. & I.B.	16-482	Alleghany
In re: L.M.C. & T.J.C.	16-661	Yadkin
In re: T.A.T. & R.W.T.	16-688	Davidson

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## COURT CALENDAR BY PANEL

Tuesday, 15 November 2016

### PANEL NO. 2

HONORABLE ANN MARIE CALABRIA  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

**Note: Judge Chris Dillon will sit for Judge Ann Calabria - COA#16-627.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 2016 AT 9:30 a.m.**

Moch v. A.M. Pappas & Assocs., LLC

16-642

Orange

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 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. Sutton

16-405

Pitt

State v. Battle

16-533

Vance

State v. Mobley

16-545

Gaston

Snelson v. Snelson

16-257

Buncombe

Nash Hosps., Inc. v. State Farm Mut. Aut...

16-532

Nash

Smith v. Polsky

16-605

Iredell

Gentry v. Brooks

16-614

Madison

Carter v. Barnes Transp.

16-627

N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Wednesday, 16 November 2016

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS  
HONORABLE RICHARD DIETZ

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2016 AT 9:30 a.m.**

Wilkie v. City of Boiling Spring Lakes	16-652	Brunswick
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 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. Riggsbee	16-498	Forsyth
State v. Richardson	16-534	Durham
State v. Vo	16-553	Catawba
Watts-Robinson v. Shelton	16-599	Mecklenburg
Mkt. Am., Inc. v. Doyle	16-610	Guilford
Larsen v. The Arlington Condo. Owners As...	16-618	Mecklenburg
Finks v. Middleton	16-630	Rockingham
Hardin v. Coulston	16-694	Mecklenburg



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## COURT CALENDAR BY PANEL

Wednesday, 16 November 2016

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2016 AT 1:00 p.m.**

NC Farm Bureau Mut. Ins. Co., Inc. v. Ph...	16-620	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 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. Whitaker	16-521	Halifax
State v. Wilkins	16-536	Edgecombe
State v. Mack	16-561	Mecklenburg
Moriggia v. Castelo	16-444	Wake
Integon Nat'l Ins. Co. v. King	16-600	Forsyth
Hauser v. Hauser	16-606	Forsyth
Patillo v. Goodyear Tire & Rubber Co.	16-636	N.C. Industrial Commission
In re: FORECLOSURE OF ADAMS	16-653	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 17 November 2016

### PANEL NO. 5

HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON

**Note: Judge Robert Hunter, Jr. will sit for Judge Chris Dillon - COA#16-479.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 17TH OF NOVEMBER 2016 AT 9:30 a.m.**

Onslow Mem'l Hosp., Inc. v. Houston

16-479

Onslow

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 17TH OF NOVEMBER 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. Johnson

16-527

Watauga

State v. Bouknight

16-544

Mecklenburg

State v. Robinson

16-567

Columbus

Huckabee v. Roberts

16-603

Durham

In re the Est. of James Junior Phillips,...

16-613

Alamance

Weston Medsurg Ctr., PLLC v. Blackwood

16-621

Mecklenburg

Sylvester v. Sylvester

16-637

Buncombe

Banks v. Hunter

16-666

Pasquotank

# North Carolina Court of Appeals

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## Supplemental Calendar

Thursday, 17 November 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **17 NOVEMBER 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. Banks	16-308	Transylvania
State v. Banks	16-402	Transylvania
State v. Spivey	16-455	Hertford
State v. Mithamo	16-519	Wake
State v. Allen	16-539	Lincoln
State v. Meeker	16-552	Pamlico
State v. Garrison	16-565	Forsyth
State v. Thompson	16-607	Durham
State v. Chiles	16-612	Martin

# North Carolina Court of Appeals

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One West Morgan Street  
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## 3.1 Calendar

Monday, 21 November 2016

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **21 NOVEMBER 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: C.A.G.	16-332	Sampson
In re: A.S.	16-472	Wake
In re: B.E., C.E., C.E., D.E., S.E.	16-494	Wake
In re: D.M.	16-503	Yancey
In re: D.T.N.A.	16-542	Guilford
In re: H.H.	16-550	Duplin

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## COURT CALENDAR BY PANEL

Monday, 28 November 2016

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE WANDA G. BRYANT  
HONORABLE WENDY M. ENOCHS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 28TH OF NOVEMBER 2016 AT 1:00 p.m.**

The Cherry Cmty. Org. v. StoneHunt, LLC	16-615	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF NOVEMBER 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. Mung	16-470	Mecklenburg
State v. Moss	16-584	Edgecombe
State v. Sullivan	16-609	Mecklenburg
Ridley v. Wendel	16-363	Catawba
Harrell v. The Midland Bd. of Adjustment	16-646	Cabarrus
Bradley Woodcraft, Inc. v. Dryfus	16-692	Wake
Harmon v. Harmon	16-728	Rowan
David Wichnoski, O.D., P.A. v. Piedmont ...	16-759	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 29 November 2016

### PANEL NO. 2

HONORABLE ANN MARIE CALABRIA  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 29TH OF NOVEMBER 2016 AT 9:30 a.m.**

McArdle v. Mission Hosp., Inc.	16-554	Buncombe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF NOVEMBER 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. Haugabook	16-471	New Hanover
State v. Blevins	16-589	Cleveland
State v. Evans	16-629	Onslow
Jones v. NC Dep't of Pub. Safety	16-617	Johnston
In re: Collins	16-655	Macon
Maniya v. Neighborhood Assistance Corp. ...	16-706	Mecklenburg
Columbus Cty. Dept. of Soc. Servs. v. No...	16-735	Columbus
Murray v. Moody	16-763	Wilson

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## COURT CALENDAR BY PANEL

Wednesday, 30 November 2016

PANEL NO. 3  
HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS  
HONORABLE RICHARD DIETZ

**Note: Judge Ann Calabria will sit for Judge Richard Elmore - COA#16-776.**

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

Fagundes v. Ammons Dev. Grp., Inc.

16-776

Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 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

16-571

New Hanover

State v. Baker

16-708

Orange

Crews v. Paysour

16-604

Pitt

McLean v. King

16-624

Caldwell

In re: Iannucci

16-738

Buncombe

Geoghagan v. Geoghagan

16-711

Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 30 November 2016

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE WENDY M. ENOCHS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 2016 AT 2:00 p.m.**

State v. Lail	16-608	Gaston
Hogue v. Hogue	16-710	Lincoln

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

**Commissioners' Room  
Old Guilford County Courthouse  
301 West Market Street  
Greensboro, N. C. 27401**



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## COURT CALENDAR BY PANEL

Wednesday, 30 November 2016

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 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. Brinkley	16-572	Nash
State v. Cesnik	16-590	Wake
State v. Spruiell	16-639	Lee
Hairston v. Harward	16-570	Davidson
Williams v. Advance Auto Parts, Inc.	16-625	Cumberland
Vecellio & Grogan, Inc. v. NC Dep't of T...	16-670	Wake
Wrightsville Health Holdings, LLC v. Buc...	16-726	New Hanover
Bank of the Ozarks v. Kings Mountain Pro...	16-739	Mecklenburg
Parker v. Colson	16-780	Anson