

# 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 April 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 3RD OF APRIL 2017.**  
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH  
CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Abney	16-840	Guilford
State v. Waters	16-985	Henderson
State v. Whitehurst	16-1021	Pasquotank
State v. Williams	16-1048	Gaston
State v. Bowden	16-1074	Montgomery
Brewington v. N.C. Dep't Of Pub. Safety	16-913	Office of Admin. Hearings
Grosslight v. NC Dep't of Transp.	16-983	Cumberland

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## COURT CALENDAR BY PANEL

Tuesday, 4 April 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 4TH OF APRIL 2017 AT 9:30 a.m.**

State v. Powell	16-1022	Catawba
Holden v. Inficare, Inc.	16-1061	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 4TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Tate	16-865	Greene
State v. Chancellor	16-993	Forsyth
State v. Gallegos	16-1058	Wake
State v. Pena	16-1075	Mecklenburg
State v. Kluttz	16-1097	Davie
Meza v. BCR Janitorial Servs., Inc.	16-944	N.C. Industrial Commission
NC Farm Bureau Mut. Ins. Co. v. Lilley	16-998	Wake

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## COURT CALENDAR BY PANEL

Tuesday, 4 April 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 4TH OF APRIL 2017 AT 2:00 p.m.**

State v. Ervin	16-1126	Mecklenburg
Massengill v. Bailey	16-1084	Johnston

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

**Carteret County Courthouse  
Courtroom #1  
300 Court House Square  
Beaufort, NC 28516**

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## COURT CALENDAR BY PANEL

Wednesday, 5 April 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICHARD DIETZ  
HONORABLE HUNTER MURPHY

**Note: Judge P. Berger will sit for Judge H. Murphy -  
COA#16-951.**

**Note: Judge M. Davis will sit for Judge R. Dietz -  
COA#16-1031.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF APRIL 2017 AT 9:30 a.m.**

State v. Langley	16-1107	Pitt
State of NC v. NC Sustainable Energy Ass...	16-1067	N.C. Utilities Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Ellis	16-938	Wayne
State v. LaFortuna	16-1000	Guilford
State v. Scaturro	16-1026	New Hanover
State v. Cannon	16-1059	Lincoln
State v. Melton	16-1088	Transylvania
Edwards v. PCC Airfoils	16-951	N.C. Industrial Commission
Jennings v. The Univ. of NC	16-1031	Washington

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## COURT CALENDAR BY PANEL

Wednesday, 5 April 2017

PANEL NO. 5

HONORABLE LINDA M. MCGEE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF APRIL 2017 AT 10:00 a.m.**

State v. Daye	16-1119	Iredell
Haarhuis v. Cheek	16-961	Chatham

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

**Craven County Courthouse  
Courtroom # 1  
302 Broad Street  
New Bern, NC 28560**

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## COURT CALENDAR BY PANEL

Wednesday, 5 April 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 5TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Worley	16-941	Transylvania
State v. St. Clair	16-1003	Washington
State v. Tayloe	16-1032	Forsyth
State v. Simmons	16-1065	Surry
State v. Gardner	16-1089	Pitt
State v. Villa	16-1104	Johnston
In re: Clayton	16-960	Henderson
Ring v. Moore Cty.	16-1034	Moore
Plum Props., LLC v. NC Farm Bureau Mut. ...	16-1078	Guilford

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## COURT CALENDAR BY PANEL

Thursday, 6 April 2017

### PANEL NO. 5

HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 6TH OF APRIL 2017.**  
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	16-975	Mecklenburg
State v. Norman	16-1005	Washington
State v. Wilson	16-1043	Iredell
State v. Cox	16-1068	Mecklenburg
State v. Boyd	16-1090	Pitt
Rowe v. Rowe	16-1072	Carteret
Rowe v. Rowe	16-1073	Carteret

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## COURT CALENDAR BY PANEL

Tuesday, 18 April 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 18TH OF APRIL 2017.**  
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH  
CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Hensley	16-689	Burke
State v. Hendricksen	16-1019	Johnston
State v. Wilkins	16-1146	Wake
State v. Johnson	16-1170	Watauga
State v. Pastore	16-1205	Wake
State v. Baskins	16-1237	Guilford
Henson v. Henson	16-1064	Cabarrus
Adame v. Aerotek	16-1118	N.C. Industrial Commission
Barbee v. Whap, P.A.	16-1154	Forsyth
Penney v. UNC Hosps.	16-1166	N.C. Industrial Commission
Raymond v. Raymond	16-1179	Mecklenburg
Cox v. City of Kannapolis	16-1183	Cabarrus



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## COURT CALENDAR BY PANEL

Wednesday, 19 April 2017

PANEL NO. 4  
HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN  
HONORABLE PHIL BERGER, JR.

**Note: Judge John M. Tyson will sit for Judge Lucy N. Inman - COA#16-841.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF APRIL 2017 AT 1:00 p.m.**

State v. Broyhill	16-841	Wake
Swan Beach Corolla, L.L.C. v. Cty. of Cu...	16-804	Currituck

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. White	16-945	Graham
State v. Rogers	16-1112	New Hanover
State v. Benton	16-1149	Durham
State v. Antone	16-1203	Columbus
State v. Guerrero	16-1227	Catawba
Glover v. Dailey	16-1108	Durham
C. Terry Hunt Indus., Inc. v. Klausner L...	16-1136	Halifax
Rash v. Waterway Landing Homeowners Ass'...	16-1158	Brunswick
Bost v. Heller	16-1176	Iredell
Rivas v. Fred Smith Constr., Inc.	16-1187	Wake

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## COURT CALENDAR BY PANEL

Wednesday, 19 April 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICHARD DIETZ  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 19TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Bolder	16-814	Cabarrus
State v. Roberson	16-939	Davidson
State v. Fitts	16-1106	Wake
State v. Allen	16-1147	Union
State v. Henley	16-1171	Mecklenburg
State v. Thompson	16-1211	Pitt
Thompson v. Gerlach	16-770	Durham
Smith Debnam Narron Drake Saintsing & My...	16-1079	Wake
Hanna v. Wright	16-1134	Currituck
Riddle v. Buncombe Cty. Bd. of Educ.	16-1155	Buncombe
In re: McLean	16-1173	Franklin
Niksich v. Caldwell	16-1190	Wake

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## COURT CALENDAR BY PANEL

Thursday, 20 April 2017

### PANEL NO. 5

HONORABLE LINDA M. MCGEE  
HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 20TH OF APRIL 2017.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Yisrael	16-873	Wake
State v. Carter	16-946	Clay
State v. Hester	16-1120	New Hanover
State v. Voltz	16-1164	Catawba
State v. Bailey	16-1192	Beaufort
State v. Mostafavi	16-1233	Forsyth
Tucker v. The Clerk of Ct. of Forsyth Ct...	16-926	Forsyth
Nichols v. Univ. of NC at Chapel Hill	16-1117	Office of Admin. Hearings
Mills v. Majette	16-1145	Forsyth
Davis v. Davis	16-1159	Rowan
Grissom v. Cohen	16-1177	Mecklenburg
Kings Harbor Homeowners Ass'n, Inc. v. G...	16-1189	Onslow

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## COURT CALENDAR BY PANEL

Wednesday, 26 April 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ANN MARIE CALABRIA  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF APRIL 2017 AT 10:00 a.m.**

State v. Greene	16-1309	Mecklenburg
Innovative Solar 55, LLC v. Robeson Cty.	16-1101	Robeson

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

**Old Historic Cumberland County Courthouse  
130 Gillespie Street  
Fayetteville, N. C. 28301**