

# 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, 1 May 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, 1ST OF MAY 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. Harris	16-1115	Carteret
State v. Wilson	16-1212	Forsyth
State v. Jones	16-1280	Wilson
Erie Ins. Exch. v. T&M Indus. PTY LTD.	16-1109	Iredell
McLaurin v. Med. Facilities of NC, Inc.	16-1161	Cumberland
In re the Will of James Paul Allen, Dece...	16-1209	Beaufort
Ball v. Bayada Home Health Care	16-1219	N.C. Industrial Commission
Parmley v. Barrow	16-1258	Pamlico
O'Neal v. O'Neal	16-1299	Currituck

Sent Date: 11 April 2017

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## COURT CALENDAR BY PANEL

Tuesday, 2 May 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, 2ND OF MAY 2017 AT 9:30 a.m.**

Mitchell, Brewer, Richardson, Adams, Bur...	16-1122	Cumberland
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 2ND OF MAY 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. May	16-1121	Pitt
State v. Wilson	16-1215	Stanly
State v. Harris	16-1304	Edgecombe
New v. New	16-1167	Cabarrus
Fisher v. United Cont'l Holdings, Inc.	16-1210	N.C. Industrial Commission
Frampton v. The Univ. of NC at Chapel Hi...	16-1236	Orange
Capps v. McSwain	16-1264	Forsyth
Kyle v. Felfel	16-1318	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 3 May 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICHARD DIETZ  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF MAY 2017 AT 9:30 a.m.**

Slaughter v. Slaughter	16-1153	New Hanover
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF MAY 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. Howell	16-1172	Wake
State v. Evans	16-1216	Mecklenburg
State v. James	17-92	Madison
Baker v. The NC Psychology Bd.	16-1175	Durham
Solesbee v. Brown	16-1214	Buncombe
Whitley v. Whitley	16-1234	Edgecombe
Bank of NC v. 15 River Project, LLC	16-1266	Guilford
Cheatham v. Town of Taylortown	16-1057	Moore

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## COURT CALENDAR BY PANEL

Wednesday, 3 May 2017

### PANEL NO. 4

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF MAY 2017 AT 1:00 p.m.**

Union Cty. v. Town of Marshville	16-1191	Union
Union Cty. v. Town of Marshville	17-37	Union

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF MAY 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	16-1070	Forsyth
State v. Lindsay	16-1204	Forsyth
State v. Bursell	16-1253	New Hanover
NCJS, LLC v. City of Charlotte	16-1096	Mecklenburg
Moore v. Moore	16-1160	Mecklenburg
In re: STEPHEN WOLFE	16-1217	Buncombe
Russell v. Bldg. Materials Mfg. Corp.	16-1273	Wake

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## COURT CALENDAR BY PANEL

Thursday, 4 May 2017

### PANEL NO. 5

HONORABLE CHRIS DILLON  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

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

Edwards v. Foley	16-1060	Robeson
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 4TH OF MAY 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. Fellner	16-1092	Wake
State v. Miller	16-1206	Guilford
State v. Butler	16-1255	Brunswick
Page v. McCabe	16-1143	Wake
Moses v. NC Indus. Comm'n	16-1197	N.C. Industrial Commission
Posey v. Wayne Mem'l Hosp., Inc.	16-1218	Wayne
Yelverton v. Edmundson	16-1252	Wayne
Zeng v. Durham	16-1276	Durham

Sent Date: 11 April 2017

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
Raleigh, North Carolina 27601

## 3.1 Calendar

Thursday, 4 May 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **4 MAY 2017** 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: L.C.D.	16-1035	New Hanover
In re: J.S., J.S., Jr., H.F.	16-1039	Robeson
In re: M.B.	16-1165	Durham
In re: D.L.M.	16-1188	Gaston
In re: A.G.	16-1200	Rowan
In re: J.D.C.	16-1256	Caldwell

Sent Date: 5 April 2017

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 8 May 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 MAY 2017** 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. Saint Clair	16-836	Union
State v. Tapia	16-909	Forsyth
State v. Tetterton	16-967	Beaufort
State v. Griffin	16-972	Catawba
State v. Carrell	16-984	Durham
State v. Young	16-995	Wake
State v. Johnson	16-1036	Vance
State v. Rogers	16-1087	Lenoir

Sent Date: 17 April 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Monday, 15 May 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE JOHN M. TYSON  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 15TH OF MAY 2017 AT 1:00 p.m.**

Green v. Green	16-1102	Forsyth
Friends of Crooked Creek, L.L.C. v. C.C....	17-32	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 15TH OF MAY 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. Ditenhafer	16-965	Wake
State v. Walker	16-1195	Pitt
State v. Bacon	16-1268	Columbus
Wilson v. Guinyard	16-1277	Durham
Rodriguez v. Lemus	16-1285	Catawba
Moore v. McKenzie	17-53	Harnett
Lasecki v. Lasecki	17-79	Iredell



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## COURT CALENDAR BY PANEL

Tuesday, 16 May 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 16TH OF MAY 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. Lanier	16-1069	Henderson
State v. Sawyers	16-1296	Stokes
State v. Cloer	17-23	Iredell
Plasman v. Decca Furniture (USA), Inc.	16-1156	Catawba
Anderson v. Mystic Lands, Inc.	16-1278	Swain
Taylor v. Mystic Lands, Inc.	16-1282	Swain
Jacobs v. Brewington	17-8	Cumberland
Russell v. Russell	17-21	Union
Cty. of Durham v. Hodges	17-71	Durham

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## COURT CALENDAR BY PANEL

Wednesday, 17 May 2017

### PANEL NO. 4

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF MAY 2017 AT 9:30 a.m.**

The Cherry Cmty. Org. v. The City of Cha...	16-1292	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF MAY 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. McCoy	16-1099	Alamance
State v. Norman	16-1232	Mecklenburg
State v. Falana	16-1306	Wake
Edwards v. Richardson	16-1178	Union
Bullard v. Prime Bldg. Co., Inc.	16-1279	Robeson
Braswell v. Medina	17-33	Nash
In re: H.R.P.A.	17-72	Wake
Lester v. Galambos	17-83	Franklin

Sent Date: 25 April 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 17 May 2017

### PANEL NO. 5

HONORABLE CHRIS DILLON  
HONORABLE VALERIE J. ZACHARY  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF MAY 2017 AT 1:00 p.m.**

Beroth Oil Co. v. NC Dep't of Transp.	17-74	Forsyth
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF MAY 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. Posey	16-937	Cabarrus
State v. Curry	16-1113	Mecklenburg
State v. Wyrick	16-1244	Mecklenburg
Barbour v. Barbour	16-782	Wake
Farquhar v. Farquhar	16-1271	Guilford
Caudill v. Huitt Mills, Inc.	16-1281	N.C. Industrial Commission
Kelley v. Andrews	17-20	Durham
Maiden Apartments v. Maynor	17-43	Catawba

Sent Date: 25 April 2017

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## COURT CALENDAR BY PANEL

Wednesday, 24 May 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICHARD DIETZ  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF MAY 2017 AT 2:00 p.m.**

State v. Coleman	16-1150	Clay
Rutledge v. Feher	16-1287	Jackson

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

**Haywood County Historic Courthouse  
215 N. Main Street  
Waynesville, N. C. 28786**

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## COURT CALENDAR BY PANEL

Thursday, 25 May 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE DONNA STROUD  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 25TH OF MAY 2017 AT 10:00 a.m.**

Ingram v. Henderson Cty. Hosp. Corp., In...	16-1016	Henderson
State v. Meadows	16-1207	Madison

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

**Eastern Band of Cherokee Indians Justice Center  
137 Seven Clans Lane  
Cherokee, N. C. 28719**

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
Raleigh, North Carolina 27601

## 3.1 Calendar

Thursday, 25 May 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **25 MAY 2017** 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.K. & A.K.	16-837	Rockingham
In re: P.L.B.	16-1116	Wilkes
In re: R.T.W.	16-1132	Mecklenburg
In re: J.L.T. & S.R.J.T.	16-1242	Wilkes
In re: A.L.H.	16-1251	Catawba
In re: K.J.	17-138	Orange

Sent Date: 19 April 2017

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
Raleigh, North Carolina 27601

## Supplemental Calendar

Tuesday, 30 May 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **30 MAY 2017** 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. Rhom	16-929	Burke
State v. Gilchrist	16-956	Mecklenburg
State v. Brown	16-1044	Orange
State v. Dunlap	16-1063	Anson
State v. Taylor	16-1105	Pitt
State v. Phloykaew	16-1148	Forsyth
State v. McCray	16-1224	Forsyth
State v. Gonzalez	16-1325	Mecklenburg

Sent Date: 11 May 2017