

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 |

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

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

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

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

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

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

North Carolina Court of Appeals

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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**

North Carolina Court of Appeals

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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.

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

North Carolina Court of Appeals

Court of Appeals Building
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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