

# 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, 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
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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

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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



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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

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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**