

# 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, 5 June 2017

### PANEL NO. 1

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

**Note: Judge John Arrowood will sit for Judge John M. Tyson  
- COA#17-131.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 5TH OF JUNE 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. Payne                              | 16-1193 | Gaston      |
| State v. Meinsen                            | 17-13   | Halifax     |
| State v. Davis                              | 17-63   | Guilford    |
| GEPMC 2006-C1 Carrington Oaks, LLC v. We... | 16-669  | Mecklenburg |
| Hogue v. Brown & Patten, PA                 | 17-103  | Haywood     |
| Rmah v. USAA Cas. Ins. Co.                  | 17-131  | Wake        |
| In re: E.V.R., A.V.R., J.V.R.               | 16-1250 | Forsyth     |
| In re: K.L. & R.E.                          | 17-80   | Cumberland  |
| In re: A.L.L., R.J.M., R.A.M., A.O.Z., D... | 17-146  | Guilford    |

Sent Date: 9 May 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 6 June 2017

### PANEL NO. 2

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 6TH OF JUNE 2017 AT 9:30 a.m.**

State v. Dail

16-1324

Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF JUNE 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. Clark

16-1194

Stanly

State v. Foster

17-64

New Hanover

Bowden v. Washburn

16-1288

Harnett

In re: Garner

17-104

Vance

Hogue v. Cruz

17-122

Caswell

In re: A.C.W.

16-1289

Randolph

In re: N.X.A., B.R.S.A-D., D.S.K.A-D.

17-95

Wilkes

In re: N.A.P.

17-160

Wake

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## COURT CALENDAR BY PANEL

Wednesday, 7 June 2017

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN ARROWOOD

**Note: Judge Chris Dillon will sit for Judge Richard Dietz - COA#16-1307.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF JUNE 2017 AT 9:30 a.m.**

|                                      |        |            |
|--------------------------------------|--------|------------|
| Richmond Cty. Bd. of Educ. v. Cowell | 17-112 | Wake       |
| Leonard v. Bell                      | 17-130 | Cumberland |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF JUNE 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. Smith                              | 16-1229 | Forsyth     |
| State v. Brooks                             | 17-38   | Mecklenburg |
| State v. Lynch                              | 17-75   | Duplin      |
| Schwarz v. St. Jude Med., Inc.              | 16-1307 | Mecklenburg |
| In re: C.B.                                 | 17-41   | New Hanover |
| In re: A.H. & S.H.                          | 17-118  | Iredell     |
| In re: S.S.P., A.M.P., Jr., M.L.P., Z.M.... | 17-191  | Northampton |

Sent Date: 9 May 2017

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## COURT CALENDAR BY PANEL

Wednesday, 7 June 2017

### PANEL NO. 4

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

**Note: Judge Richard A. Elmore will sit for Judge Hunter  
Murphy - COA#17-134.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF JUNE 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. Maddux                             | 16-1248 | Johnston   |
| State v. Mettler                            | 17-47   | Forsyth    |
| State v. Burwell                            | 17-89   | Johnston   |
| Tanglewood Prop. Owners' Ass'n, Inc. v. ... | 17-101  | Brunswick  |
| Rider v. Hodges                             | 17-110  | Henderson  |
| Holbert v. Blanchard                        | 17-134  | Buncombe   |
| In re: B.T.                                 | 17-51   | Cherokee   |
| In re: T.P., T.P., & T.P.                   | 17-119  | Iredell    |
| In re: C.M.D.                               | 17-197  | Rockingham |

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## COURT CALENDAR BY PANEL

Thursday, 8 June 2017

### PANEL NO. 5

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

**Note: Chief Linda M. McGee will sit for Judge Philip Berger, Jr. - COA#16-1308.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF JUNE 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. Hooker                      | 16-1308 | Alamance    |
| State v. Jones                       | 17-59   | Wake        |
| State v. Peters                      | 17-91   | Cabarrus    |
| Fortner v. Hornbuckle                | 17-44   | Swain       |
| Johnson v. Wayne Mem'l Hosp., Inc.   | 17-106  | Wayne       |
| Estep v. Masonboro Urgent Care, P.C. | 17-158  | New Hanover |
| In re: E.C. & A.C.                   | 17-57   | Orange      |
| In re: E.A.D.                        | 17-133  | Mecklenburg |
| In re: D.L.A.D.                      | 17-262  | Surry       |

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 8 June 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **8 JUNE 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: V.B.                          | 16-1095 | Orange      |
| In re: M.L.E., III                   | 16-1180 | Forsyth     |
| In re: L.P.T., H.J.T., Jr., & T.S.T. | 16-1246 | Burke       |
| In re: G.M.C. & T.L.C.               | 16-1257 | Wilkes      |
| In re: P.B.                          | 16-1261 | Mecklenburg |
| In re: L.H. & A.H.                   | 16-1294 | Onslow      |

Sent Date: 28 April 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 15 June 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 JUNE 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: D.L.L.M.                             | 16-1181 | Burke     |
| In re: K.E.J., A.K.J.J., M.O.P., R.A.A.P... | 16-1223 | Davidson  |
| In re: D.D.D., J.L.D.D., F.A.T.D.           | 16-1239 | Cleveland |
| In re: R.R.                                 | 16-1240 | Cabarrus  |
| In re: S.D.B. & W.A.B.                      | 16-1265 | Burke     |
| In re: A.P.C.                               | 17-180  | Hoke      |

Sent Date: 16 May 2017

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 19 June 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **19 JUNE 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. Cox      | 16-992  | Henderson   |
| State v. Hicks    | 16-1033 | Sampson     |
| State v. Isom     | 16-1052 | Cabarrus    |
| State v. Ellison  | 16-1127 | New Hanover |
| Sampson v. Lanier | 16-1135 | Guilford    |
| State v. Newbill  | 16-1163 | Mecklenburg |
| State v. Benton   | 16-1238 | Guilford    |
| State v. Grissett | 16-1305 | Brunswick   |
| State v. Peterson | 17-26   | Pitt        |

Sent Date: 7 June 2017

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## 3.1 Calendar

Thursday, 22 June 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **22 JUNE 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: M.B., B.B., J.B.             | 16-1270 | Johnston   |
| In re: D.O., S.O., N.O., P.O.       | 16-1272 | Wake       |
| In re: C.S.L.B., C.P.R.B., S.C.R.B. | 16-1283 | Orange     |
| In re: A.U.                         | 16-1284 | Franklin   |
| In re: E.M.S-C. & B.O.S-C.          | 17-30   | Columbus   |
| In re: I.N.S., L.A.S., & W.M.S. III | 17-31   | Montgomery |

Sent Date: 24 May 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 29 June 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **29 JUNE 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: S.W.                                 | 16-1235 | Forsyth  |
| In re: H.S., a minor Child; D.S., a mino... | 16-1241 | Bladen   |
| In re: J.D.H., N.E.H., R.R.S., Jr.          | 16-1286 | Gaston   |
| In re: D.E.M.                               | 16-1319 | Wilkes   |
| In re: J.Y. & A.M.                          | 17-42   | Orange   |
| In re: A.P.R.                               | 17-111  | Guilford |