

# 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, 7 August 2017

### PANEL NO. 1

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 7TH OF AUGUST 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. Hinnant	16-1293	Wilson
State v. Chestnut	16-1310	Wilson
State v. Reaves	16-1311	Wilson
State v. Bowens	16-1312	Wilson
State v. Owens	16-1313	Wilson
State v. Mercer	16-1314	Wilson
State v. Mitchell	16-1323	Wilson
State v. Dejesus	16-1326	Wilson
State v. Gomez	16-1327	Wilson
State v. Williams	17-3	Wilson
State v. Bynum	17-4	Wilson
State v. Bynum	17-5	Wilson
State v. Sauls	17-6	Wilson
State v. Barnes	17-14	Wilson
State v. Barnes	17-15	Wilson
State v. Harrison	17-16	Wilson
State v. Cannon	17-17	Wilson
State v. Wiggins	17-18	Wilson

# North Carolina Court of Appeals

State v. Knight	17-19	Wilson
State v. Mitchell	17-534	Wilson

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 7 August 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **7 AUGUST 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. Boulware	17-22	Mecklenburg
State v. Bonham	17-141	Forsyth
State v. Rolland	17-168	Mecklenburg
State v. Yarborough	17-177	Onslow
State v. Griffin	17-195	Beaufort
State v. Lineberger	17-201	Catawba
State v. Rios	17-249	Mecklenburg
State v. Smith	17-306	New Hanover

Sent Date: 1 August 2017

# North Carolina Court of Appeals

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

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## COURT CALENDAR BY PANEL

Tuesday, 8 August 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, 8TH OF AUGUST 2017 AT 9:30 a.m.**

State v. Grady	17-12	New Hanover
Press v. AGC Aviation LLC	17-9	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF AUGUST 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. Byrd	16-1025	Alamance
State v. Batiste	16-1186	Cumberland
State v. Swain	16-1221	Mecklenburg
State v. Prince	16-1275	Wake
State v. Sutton	17-35	Jackson
State v. Sims	17-45	Onslow
State v. Shields	17-69	Mecklenburg
State v. Richmond	17-87	Person
Watauga Cty. v. Beal	16-1226	Watauga
Brown v. NC Dept. of Pub. Safety	16-1298	Office of Admin. Hearings

Sent Date: 17 July 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Tuesday, 8 August 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 AUGUST 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.M.S.	17-149	Edgecombe
In re: G.M.	17-174	Wake
In re: M.H.	17-255	New Hanover
In re: M.D-W. & J.M.	17-256	New Hanover
In re: D.M.P., Jr.	17-297	Wake
In re: K.G.M.	17-304	Burke

Sent Date: 14 July 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 9 August 2017

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN ARROWOOD

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

State v. Shore	16-1243	Mecklenburg
State v. Everrette	17-88	Martin
Trejo v. NC Dep't of State Treasurer Ret...	16-1182	Dare

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF AUGUST 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. Booker	16-1142	Cumberland
State v. Headen	16-1196	Randolph
State v. Newkirk	17-2	Harnett
State v. Tilghman	17-27	New Hanover
State v. Carlton	17-36	Wilkes
State v. Bishop	17-55	Richmond
State v. Clegg	17-76	Wake
Uli v. Uli	16-1301	Cabarrus
Lopez v. Lopez	17-10	Harnett

Sent Date: 17 July 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 9 August 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, 9TH OF AUGUST 2017 AT 1:00 p.m.**

State v. Howard	17-77	Wayne
Bradley v. Bradley	16-1303	New Hanover
Plum Props., LLC v. Holland	17-50	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF AUGUST 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. Messer	16-1174	Johnston
State v. Hurley	16-1202	Pender
State v. Bradsher	16-1321	Alamance
State v. Nicholson	17-28	Forsyth
State v. Green	17-39	Mecklenburg
State v. Walker	17-58	Onslow
State v. Paige	17-102	Pitt
State v. McKoy	17-107	Harnett
Sarno v. Sarno	16-1267	Mecklenburg

Sent Date: 17 July 2017

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## COURT CALENDAR BY PANEL

Thursday, 10 August 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 **THURSDAY, 10TH OF AUGUST 2017 AT 9:30 a.m.**

State v. Madonna	16-1300	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF AUGUST 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. Welch	16-1184	Anson
State v. Robinson	16-1213	Mecklenburg
State v. Dunston	16-1254	Wake
State v. Goff	17-34	Lenoir
State v. Peace	17-62	Granville
State v. McKeith	17-81	Duplin
State v. Smith	17-93	Nash
State v. Seam	17-219	Davidson
Ke v. Zhou	16-1297	Guilford
Eagle v. Eagle	16-1315	Buncombe
Malone v. Hutchison-Malone	17-241	Durham

Sent Date: 17 July 2017



# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 10 August 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **10 AUGUST 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.W.S.	17-173	Burke
In re: T.L.M. & Z.A.M.	17-189	Onslow
In re: M.B., A.B., & E.B.	17-198	Rockingham
In re: A.J.S.	17-205	Forsyth
In re: S.S.T.	17-261	Burke
In re: T.M.S.	17-380	Guilford

Sent Date: 11 July 2017

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
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## COURT CALENDAR BY PANEL

Monday, 21 August 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICHARD DIETZ  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 21ST OF AUGUST 2017 AT 1:00 p.m.**

Ballard v. Shelley	17-61	Cabarrus
Plasman v. Decca Furniture (USA), Inc.	17-151	Catawba
In re: Lowe's Home Ctrs., LLC	17-220	Property Tax Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 21ST OF AUGUST 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. Barker	17-97	Brunswick
State v. Tate	17-123	McDowell
State v. Emigh	17-148	Gates
State v. Robertson	17-199	Buncombe
State v. Wilkes	17-208	Catawba
State v. Foy	17-239	Onslow
In re: I.W.P.	17-94	Alexander
Fowler v. Fowler	17-178	Buncombe
Hankins v. Hankins	17-186	Rowan

Sent Date: 1 August 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 22 August 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 22ND OF AUGUST 2017 AT 9:30 a.m.**

Surgical Care Affiliates, LLC v. NC Indu...	17-78	Wake
In re: P.S.	17-234	Mecklenburg
In re: L.T.	17-235	Mecklenburg
In re: N.J.	17-236	Mecklenburg
In re: R.J.	17-237	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 22ND OF AUGUST 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. Parker	17-108	Guilford
State v. Mathis	17-126	Rowan
State v. Eaves	17-159	Mecklenburg
State v. Faulk	17-194	Columbus
State v. Brinson	17-210	Beaufort
State v. Wallace	17-245	Guilford
Taylor v. Wake Cty.	17-99	Wake

Sent Date: 1 August 2017

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## COURT CALENDAR BY PANEL

Wednesday, 23 August 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE DONNA STROUD  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF AUGUST 2017**  
**AT 1:00 p.m.**

Blue Ridge Healthcare Hosps., Inc. v. NC...	17-137	Office of Admin. Hearings
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF AUGUST 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. Hayes	17-46	Buncombe
State v. Jones	17-114	Brunswick
State v. Culbertson	17-136	Cabarrus
State v. Moore	17-183	Wake
State v. Ryckley	17-200	Lincoln
State v. Stimpson	17-226	Guilford
Martin v. Scardina	17-52	Wake
Lambert v. Town of Sylva	17-84	Jackson
WLAE, LLC v. Edwards	17-154	Henderson
Poetzsch v. City of Charlotte	17-182	Mecklenburg
Frank v. Charlotte Symphony	17-211	N.C. Industrial Commission

Sent Date: 1 August 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 23 August 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE VALERIE J. ZACHARY  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF AUGUST 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. Taylor	16-1291	Forsyth
State v. Davis	17-109	Forsyth
State v. Mathis	17-128	Wilkes
State v. Rouse	17-176	Forsyth
State v. Bradshaw	17-196	Sampson
State v. Perry	17-223	Nash
Kedar v. Patel	16-781	Mecklenburg
Tigani v. Tigani	17-82	Union
Holmes v. Sheppard	17-125	Guilford
McKinnon v. McKinnon	17-152	Robeson
Comstock v. Comstock	17-179	Mecklenburg
Jacobson v. Padgett	17-192	Wake

Sent Date: 1 August 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Thursday, 24 August 2017

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHRIS DILLON  
HONORABLE JOHN ARROWOOD

**Note: Judge Phil Berger, Jr. will sit for Judge John Arrowood - COA 17-143.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 24TH OF AUGUST 2017 AT 9:30 a.m.**

Owen v. Davis	17-143	Wake
Bickley v. Fordin	17-185	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 24TH OF AUGUST 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. Sydnor	17-48	Wake
State v. Thomas	17-120	Watauga
State v. Thomas	17-140	Caldwell
State v. Cox	17-188	Wayne
State v. J.C.	17-207	Onslow
State v. McReed	17-229	Mecklenburg
Internal Credit Sys., Inc. v. Nautuff LL...	17-54	Durham
Gyedu-Saffo v. Duncan	17-86	Mecklenburg
Boldon v. Boldon	17-170	Catawba
Foushee v. Appalachian State Univ.	17-213	N.C. Industrial Commission

Sent Date: 1 August 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 24 August 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **24 AUGUST 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: N.H.	17-171	Buncombe
In re: A.L.G., A.L.G., S.B.G.	17-203	Stokes
In re: L.L. & L.L.	17-337	Surry
In re: A.J.B.	17-379	Mecklenburg
In re: S.M.C.	17-452	New Hanover
In re: D.L.W.	17-464	Mecklenburg

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 31 August 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **31 AUGUST 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: J.M. & J.M.	17-275	Durham
In re: J.E.J.B. & J.J.B.	17-289	Wake
In re: D.S.	17-290	Mecklenburg
In re: A.P.	17-291	Johnston
In re: M.D.H. & V.C.H.	17-326	Columbus
In re: C.S.H.	17-360	Johnston

Sent Date: 8 August 2017