

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Tuesday, 5 September 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, 5TH OF SEPTEMBER 2017 AT 9:30 a.m.**

Byron v. Synco Props., Inc.	17-318	Mecklenburg
-----------------------------	--------	-------------

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 5TH OF SEPTEMBER 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. Dixon	17-25	Mecklenburg
State v. McCurry	17-169	Rutherford
State v. Watson	17-253	Durham
State v. Rogers	17-271	New Hanover
State v. Sing	17-296	Mecklenburg
State v. Campola	17-354	Mecklenburg
Turnage v. Cunningham	17-222	Greene
Aoun & Cole, Inc. v. Fitzpatrick	17-240	Wake
In re: Ivey	17-264	Haywood
The NC State Bar v. Livingston	17-277	Disciplinary Hearing Commission
Boone v. Hayes-Boone	17-312	Iredell

Sent Date: 14 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 6 September 2017

### PANEL NO. 3

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

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

Booth v. Hackney Acquisition Co.	17-274	N.C. Industrial Commission
Jacobs-Sams v. Duke Univ. Med. Ctr.	17-298	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF SEPTEMBER 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. Borsello	17-40	Lincoln
State v. Jones	17-193	Guilford
State v. Leonard	17-266	Mecklenburg
State v. Krider	17-272	Iredell
State v. Greene	17-311	Pitt
State v. Walker	17-357	Brunswick
Jenkins v. Thomas	17-224	Hertford
Martin v. Orange Water & Sewer Auth.	17-242	N.C. Industrial Commission
Parsons v. Parsons	17-278	Ashe
In re: R.S.M.	17-499	Hoke

Sent Date: 14 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 6 September 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, 6TH OF SEPTEMBER 2017 AT 1:00 p.m.**

Perry v. West Marine, Inc.	17-243	Wake
Discovery Ins. Co. v. The NC Dep't of In...	17-285	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF SEPTEMBER 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. Goodman	16-1263	Gates
State v. Pegues	17-70	Guilford
State v. Miller	17-216	Union
State v. Terrell	17-268	Onslow
State v. McAlister	17-282	Yancey
State v. Ervin	17-324	Wake
Adams Creek Assocs. v. Davis	16-1080	Carteret
In re: Rivera	17-227	Mecklenburg
Drury v. Drury	17-273	Henderson
In re: Hendrix	17-281	Forsyth

Sent Date: 14 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Thursday, 7 September 2017

### PANEL NO. 5

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

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

State v. Mosley	17-345	McDowell
-----------------	--------	----------

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 7TH OF SEPTEMBER 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. Malone	16-1290	Alamance
State v. Bobich	17-145	Surry
State v. McDonald	17-246	Mecklenburg
State v. Villalobos	17-269	Mecklenburg
State v. Brawley	17-287	Rowan
McLawhorn v. N.C. Dep't of Env't & Nat. ...	17-206	N.C. Industrial Commission
Pitts v. Tart	17-232	Wilson
Bartlett v. Bartlett	17-248	New Hanover
Brown v. N.C. Dep't of Pub. Instruction	17-276	N.C. Industrial Commission
Nationwide Prop. & Cas. Ins. Co. v. Smit...	17-283	Duplin
Brady v. Best Buy Co., Inc.	17-315	N.C. Industrial Commission

Sent Date: 14 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Monday, 18 September 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, 18TH OF SEPTEMBER 2017**  
**AT 1:00 p.m.**

Clark v. Nash Hosps., Inc.	17-331	Nash
Brown v. Cox	17-436	Guilford
Chatham Forest Homeowners Ass'n, Inc. v....	17-417	Chatham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 18TH OF SEPTEMBER 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	17-153	Mecklenburg
State v. Dale	17-320	Wake
State v. Johnson	17-364	Mecklenburg
Proffitt v. Gosnell	17-233	Buncombe
Walker v. Hoke Cty.	17-341	Hoke
Waste Connections of NC, Inc. v. Rubicon...	17-398	Mecklenburg

Sent Date: 29 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Tuesday, 19 September 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, 19TH OF SEPTEMBER 2017**  
**AT 9:30 a.m.**

Peyton v. N.C. Dep't of Transp.	17-257	N.C. Industrial Commission
---------------------------------	--------	----------------------------

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 19TH OF SEPTEMBER 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. Simmons	17-155	Mecklenburg
State v. Armistead	17-323	Pitt
State v. Griffin	17-386	Craven
Faircloth v. Faircloth	17-332	Rockingham
Mkt. Am., Inc. v. Lee	17-342	Guilford
Lesh v. Lesh	17-399	Currituck
Swan Beach Corolla, L.L.C. v. Cty. of Cu...	17-411	Currituck
Serenity Counseling & Res. Ctr., Inc. v....	17-439	Guilford

Sent Date: 29 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 20 September 2017

### PANEL NO. 3

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

**Note: Judge Richard Dietz will sit for Judge Hunter Murphy - COA#17-429.**

**Note: Chief Judge Linda M. McGee will sit for Judge Ann Marie Calabria - COA#17-366.**

**Note: Judge John M. Tyson will sit for Judge Hunter Murphy - COA#17-409.**

**Note: Judge Lucy N. Inman will sit for Judge Hunter Murphy - COA#17-418.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF SEPTEMBER 2017 AT 9:30 a.m.**

Hall v. U.S. Xpress, Inc.

17-333

N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF SEPTEMBER 2017**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Town of Pinebluff v. Moore Cty.

17-286

Moore

State v. Rose

17-190

Durham

State v. Harris

17-346

Lenoir

State v. Faulk

17-429

Columbus

Conry v. Destafino

17-366

Guilford

Ball v. Cogdill

17-409

Jackson

Metcalf v. Call

17-418

Swain

Garrett v. The Goodyear Tire & Rubber Co...

17-500

N.C. Industrial Commission

Sent Date: 29 August 2017

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 20 September 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, 20TH OF SEPTEMBER 2017 AT 1:00 p.m.**

McGuine v. Nat'l Copier Logistics, LLC	17-336	N.C. Industrial Commission
Cooper v. Berger	17-367	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF SEPTEMBER 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. Brown	17-209	Durham
State v. Tomlin	17-351	Guilford
State v. Bethea	17-459	Chatham
Norman v. NC Dep't of Admin.	17-328	Wake
Honeycutt v. Weaver	17-410	Forsyth
Mathieu v. Bank of Am.	17-420	N.C. Industrial Commission
Lasecki v. Lasecki	17-544	Iredell



# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Thursday, 21 September 2017

### PANEL NO. 5

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 21ST OF SEPTEMBER 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. Isom	17-24	Cabarrus
State v. Casey	17-263	Rockingham
State v. Bell	17-361	Henderson
Deans v. NC Dep't of Transp.	17-228	Wake
Sullivan v. NC Dep't of Transp.	17-327	Cumberland
Aragon v. Legacy Imps., Inc.	17-339	Wake
Stewart v. Shipley	17-378	Surry
Thompson v. Speller	17-416	Carteret
Brewer v. First Stop Core & Battery, LLC	17-424	N.C. Industrial Commission

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Tuesday, 26 September 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE JOHN M. TYSON  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 26TH OF SEPTEMBER 2017**  
**AT 2:00 p.m.**

State v. Gore	17-267	Columbus
Parker v. Desherbinin	17-377	New Hanover

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

**David R. Sandifer Administration Building**  
**Commission Chambers**  
**30 Government Center Drive, NE**  
**Bolivia, NC 28422**

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 27 September 2017

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF SEPTEMBER 2017 AT 10:00 a.m.**

State v. Santifort	17-202	Johnston
State v. Mitchell	17-212	Wake

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

**Lenoir County Courthouse  
130 S. Queen St.  
Kinston, NC 28501**