

# 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, 6 February 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE DONNA STROUD  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 6TH OF FEBRUARY 2017 AT 12:00 p.m.**

State v Benitez	14-542	Lee
Bentley v. Jonathan Piner Constr.	16-62	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 6TH OF FEBRUARY 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. Andrews	16-772	Forsyth
State v. McIntyre	16-801	New Hanover
State v. Williamson	16-820	Wake
Williams v. Chaney	16-834	Lincoln
Rmah v. United Servs. Auto. Ass'n	16-848	Wake
Key Risk Ins. Co. v. Peck	16-872	Craven
Hawkins v. Wilkes Reg'l Med. Ctr.	16-893	N.C. Industrial Commission
Brackett v. Thomas	16-912	Guilford

Sent Date: 13 January 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 7 February 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE RICHARD DIETZ

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

Boyce v. NC State Bar	16-858	Wake
Crocker v. Transylvania Cty. DSS	16-875	Office of Admin. Hearings

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF FEBRUARY 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. Hughes	16-779	Yancey
State v. Rojas	16-802	Mecklenburg
State v. O'Shields	16-822	Transylvania
Wash. v. Simeon	16-810	Wake
Stamey v. Stamey	16-843	Transylvania
Zolp v. Cordell	16-895	Buncombe
Blanton Supplies of Little River, Inc. v...	16-916	Brunswick

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## COURT CALENDAR BY PANEL

Wednesday, 8 February 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 2017 AT 9:30 a.m.**

Widen177 v. NC Dep't of Transp.	16-818	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 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. Williamson	16-631	Robeson
State v. Walker	16-794	Mecklenburg
State v. Castaneda-Pena	16-806	Guilford
Se. Real Est. & Disc. Co. v. Bank of NC	16-633	Transylvania
Binkley v. Binkley	16-846	Forsyth
Crabtree v. Smith	16-864	Wake
In re: Russelle Smith	16-882	Mecklenburg
iPayment, Inc. v. Grainger	16-908	Union

Sent Date: 13 January 2017

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## COURT CALENDAR BY PANEL

Wednesday, 8 February 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE CHRIS DILLON  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 2017 AT 1:00 p.m.**

Fuller v. Wake Cty.	16-869	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 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. Foye	16-675	Craven
State v. Martin	16-795	Catawba
State v. Gullette	16-815	Mecklenburg
Farmer v. Farmer	16-760	Robeson
Wheeler v. Cent. Carolina Scholastic Spo...	16-827	Cumberland
St. John v. Thomas	16-847	Union
McKinney v. McKinney	16-884	Guilford
Anders v. Universal Leaf N. Am.	16-910	N.C. Industrial Commission

Sent Date: 13 January 2017

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## COURT CALENDAR BY PANEL

Thursday, 9 February 2017

### PANEL NO. 5

HONORABLE LINDA M. MCGEE  
HONORABLE MARK A. DAVIS  
HONORABLE HUNTER MURPHY

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

State v. Mylett	16-816	Watauga
Van-Go Transp., Inc. v. Sampson Cty.	16-849	Sampson

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF FEBRUARY 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. Boyd	16-715	Mecklenburg
State v. Bell	16-798	Mecklenburg
Geoghagan v. Geoghagan	16-766	Mecklenburg
Ward v. Ward	16-832	Dare
McLeod v. McLeod	16-871	Iredell
Holland v. Harrison	16-889	Wake
Krause v. RK Motors, LLC	16-911	Mecklenburg

Sent Date: 13 January 2017

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## COURT CALENDAR BY PANEL

Monday, 20 February 2017

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 20TH OF FEBRUARY 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. Dye	16-778	Mitchell
State v. Pannell	16-852	Swain
State v. Perry	16-862	Nash
State v. McClinton	16-887	Rowan
State v. Bradley	16-917	Mecklenburg
State v. Wright	16-1017	Cleveland
Brown v. N.C. Dep't of Pub. Safety	16-740	N.C. Industrial Commission
Lee v. Cooper	16-845	Guilford
Gilreath v. Cumberland Cty. Bd. of Educ.	16-927	Cumberland

Sent Date: 31 January 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 20 February 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 FEBRUARY 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: G.S. & C.G.	16-648	Iredell
In re: S.M.C. & V.M.J.C.	16-681	Buncombe
In re: M.B.	16-788	Johnston
In re: I.S.D.	16-824	New Hanover
In re: R.P., Jr.	16-856	Mecklenburg
In re: N.G.H.	16-896	Pender

Sent Date: 25 January 2017

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 20 February 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 FEBRUARY 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. Brooks	16-674	Pasquotank
State v. Hostetler	16-680	Mecklenburg
State v. Holden	16-685	Wake
State v. Roa	16-769	Hoke
In re: R.A.S.	16-805	Forsyth
State v. Saunders	16-825	Forsyth
State v. Moose	16-867	Rowan
State v. Carlton	16-880	Pitt
State v. Dominguez	16-919	Forsyth
State v. Morrison	16-942	Cabarrus

Sent Date: 2 February 2017



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## COURT CALENDAR BY PANEL

Tuesday, 21 February 2017

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 21ST OF FEBRUARY 2017 AT 9:30 a.m.**

Plasman v. Decca Furniture (USA), Inc.	16-777	Catawba
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF FEBRUARY 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. Brooks	16-828	Durham
State v. Carter	16-854	Cabarrus
State v. Little	16-870	Guilford
State v. Greene	16-891	Watauga
State v. West	16-918	Durham
State v. Craig	16-1027	Stanly
Daly v. Daly	16-885	Lee
Henderson v. The Charlotte-Mecklenburg B...	16-977	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 22 February 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 2017 AT 1:00 p.m.**

State v. McPhaul	16-924	Hoke
State v. Fink	16-934	Mecklenburg

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

**Norman Adrian Wiggins School of Law**  
**225 Hillsborough Street**  
**Raleigh, NC 27603**

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## COURT CALENDAR BY PANEL

Wednesday, 22 February 2017

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 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. Trent	16-839	Randolph
State v. Williams	16-855	Currituck
State v. Harris	16-874	Wake
State v. Oates	16-903	Sampson
State v. Shepherd	16-935	Guilford
State v. Thorpe	16-1008	Wake
Fowler v. Hanesbrands Inc.	16-785	Forsyth
Lippard v. Holleman	16-886	Iredell
SIA Grp., Inc. v. Patterson	16-1137	Onslow

Sent Date: 31 January 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 22 February 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 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. Riley	16-700	Durham
State v. Jones	16-842	Wayne
State v. Oxner	16-859	Union
State v. Ellison	16-879	Cumberland
State v. Huddy	16-904	Guilford
State v. Edwards	16-974	Graham
Anderson v. Anderson	16-469	Carteret
Foreclosure of Gupton	16-835	Wake
Meinck v. City of Gastonia	16-892	Gaston

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## COURT CALENDAR BY PANEL

Thursday, 23 February 2017

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 23RD OF FEBRUARY 2017** **AT 9:30 a.m.**

State of NC ex rel. Utils. Comm'n v. N.C...	16-811	N.C. Utilities Commission
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF FEBRUARY 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. Stephens	16-714	Duplin
State v. Crain	16-844	Gaston
State v. Sauls	16-860	Johnston
State v. Gillespie	16-881	Wake
State v. Rice	16-906	Edgecombe
State v. Bradford	16-988	Wake
Booker v. Strege	16-698	Buncombe
Schneider v. Schneider	16-920	Mecklenburg

Sent Date: 31 January 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 27 February 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **27 FEBRUARY 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: E.P.H.	16-663	Guilford
In re: G.W., E.W., J.W.	16-857	Rockingham
In re: M.B.	16-866	Orange
In re: G.G.R.	16-898	New Hanover
In re: C.C., C.C., C.C.	16-971	Watauga
In re: T.E., K.E., Jr.	16-981	Ashe

Sent Date: 31 January 2017