

# 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, 6 March 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, 6TH OF MARCH 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. Vidovich	16-773	Randolph
State v. Collins	16-901	Columbus
State v. Carpenter	16-973	Avery
Cook v. Thomas	16-712	New Hanover
Cohen v Cont'l Motors, Inc.	16-792	Nash
The L. Firm Of Michael A. DeMayo, LLP v....	16-899	Mecklenburg
Howse v. Bank Of Am., N.A.	16-979	Catawba
Wilson v. Ashley Women's Ctr., P.A.	16-1004	Gaston
Walker v. Pharr	16-1029	Wake

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## COURT CALENDAR BY PANEL

Tuesday, 7 March 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, 7TH OF MARCH 2017 AT 9:30 a.m.**

State v. Anderson	16-767	Graham
In re: T.K.	16-1047	Wayne

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

**Duke University School of Law  
210 Science Drive  
Room 3043  
Durham, NC 27708**

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## COURT CALENDAR BY PANEL

Tuesday, 7 March 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 7TH OF MARCH 2017 AT 2:00 p.m.**

State v. Konifka	16-1013	Union
Malecek v. Williams	16-830	Forsyth

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

**North Carolina Business Court  
Elon University School of Law  
201 N. Greene Street  
Greensboro, NC 27401**

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## COURT CALENDAR BY PANEL

Tuesday, 7 March 2017

### PANEL NO. 2

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF MARCH 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. Holloway	16-940	Wake
State v. Cobb	16-990	Watauga
Mills v. Davis	16-737	Forsyth
Wilson v. Pershing, LLC	16-803	Catawba
Ellison v. Ellison	16-914	Ashe
Keels v. Frazier	16-978	Mecklenburg
In re: Thompson	16-1014	Onslow

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## COURT CALENDAR BY PANEL

Wednesday, 8 March 2017

### PANEL NO. 3

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

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

Eagle Servs. & Towing, LLC v. Ace Motor ...	16-693	Mecklenburg
The Cherry Cmty. Org. v. Stonehunt, LLC	16-905	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF MARCH 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. Massey	16-868	Mecklenburg
State v. Fowler	16-947	Wake
State v. Glidewell	16-1001	Moore
Patton v. The Charlotte-Mecklenburg Hosp...	16-812	Mecklenburg
Del Rosso-Schneider v. Schneider	16-980	Watauga
Locklear v. Cummings	16-1015	Robeson
Chapel H.O.M. Assocs., LLC v. RME Mgmt.,...	16-1030	Orange

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Wednesday, 8 March 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

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

Orren v. Orren	16-1024	Alexander
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF MARCH 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. Palm	16-831	Durham
State v. Johnson	16-954	Craven
In re: R.M.	16-746	Cumberland
Lund v. Lund	16-813	Buncombe
Stonewall Constr. Servs., LLC v. Frosty ...	16-982	Alamance
Watlington v. Dep't of Soc. Servs. Rocki...	16-1038	Office of Admin. Hearings

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## COURT CALENDAR BY PANEL

Thursday, 9 March 2017

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY

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

Forbes v. City of Durham	16-964	Durham
Ragavage v. City of Wilmington	16-1028	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF MARCH 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. Allbrooks	16-741	Moore
State v. Cook	16-883	Mecklenburg
State v. Alston	16-966	Halifax
Myres v. Strom Aviation, Inc.	16-558	N.C. Industrial Commission
Dawson v. Healthcare Servs. Grp.	16-758	N.C. Industrial Commission
In re: Ackah	16-829	Wake
Jackson v. Century Mut. Ins. Co.	16-997	Forsyth

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## COURT CALENDAR BY PANEL

Tuesday, 21 March 2017

PANEL NO. 2  
HONORABLE WANDA G. BRYANT  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

**Note: Judge R. Dietz will sit for Judge V. Zachary -  
COA#16-863.**

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

State v. Maloney	16-851	Beaufort
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF MARCH 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. Tucker	16-959	Craven
State v. Moore	16-999	Orange
Medlin v. Medlin	16-863	Yadkin
Thomas & Craddock Sales, Inc. v. Gift Ba...	16-936	Mecklenburg
Freedman v. Payne	16-969	New Hanover
Oates v. Parker	16-1053	Sampson
Hutchison v. NC Dep't of Justice	16-1082	Office of Admin. Hearings
Wynn v. Tyrrell Cty. Bd. of Educ.	16-1130	Tyrrell



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## COURT CALENDAR BY PANEL

Wednesday, 22 March 2017

### PANEL NO. 3

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

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

State v. Golder	16-987	Wake
Morrell v. Hardin Creek, Inc.	16-878	Watauga

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF MARCH 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. McNair	16-1006	Pamlico
State v. Bryant	16-1020	Forsyth
Gardner v. Rink	16-948	Catawba
Strickland v. Hood	16-1041	Mecklenburg
Avis Rent A Car Sys., LLC v. Andrews	16-1054	Cabarrus
Phan v. Clinard Oil Co., Inc.	16-1083	Davidson
Emerald Place Dev. Props., LLC v. Horne	16-1138	Pitt

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Wednesday, 22 March 2017

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON

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

Bray v. Swisher	16-928	Forsyth
Friday Invs., LLC v. Bally Total Fitness...	16-950	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF MARCH 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. Dorest	16-890	Mecklenburg
State v. Stroud	16-989	Mecklenburg
State v. Battle	16-1002	Edgecombe
Lovelace v. B & R Auto Serv., Inc.	16-1045	N.C. Industrial Commission
Faucher v. Marcus	16-1056	Guilford
Buckner v. United Parcel Serv.	16-1110	N.C. Industrial Commission
Chastain v. Arndt	16-1151	Gaston

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Thursday, 23 March 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 MARCH 2017 AT 9:30 a.m.**

Crazie Overstock Promotions, LLC v. McVi...	16-932	Bladen
Roberts v. Mars Hill Univ.	16-1093	Madison

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State v. Andrews	16-925	Edgecombe
State v. Kelley	16-991	New Hanover
State v. McNeill	16-1062	Harnett
In re: O.S.R.	16-958	Yadkin
Moon Wright & Houston, PLLC v. Cole	16-1046	Mecklenburg
SMS Constr., Inc. v. Wittels	16-1081	Dare
Premier, Inc. v. Peterson	16-1139	Mecklenburg