

# 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 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

Sent Date: 13 February 2017

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

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
Wattlington 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

Sent Date: 13 February 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 13 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **13 MARCH 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.D.	16-793	Edgecombe
In re: J.K.	16-823	Cumberland
In re: K.S.B. & J.U.F.B.	16-894	Wake
In re: J.H. & J.H., Jr.	16-897	Robeson
In re: A.M.D.	16-943	Caldwell
In re: D.R. & B.N.	16-994	McDowell



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## Supplemental Calendar

Monday, 13 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **13 MARCH 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. Lam	16-651	Iredell
State v. Williams	16-686	Wake
State v. Perry	16-722	Carteret
State v. Hart	16-784	Onslow
State v. Ramey	16-876	Forsyth
State v. Locklear	16-900	Richmond
State v. Crews	16-902	Rutherford
State v. Johnson	16-907	Johnston
State v. Nettles	16-923	New Hanover
State v. Carroll	16-986	Davidson

Sent Date: 23 February 2017

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 20 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 MARCH 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.P. & E.P.	16-931	Forsyth
In re: C.M.B., J.D.B., R.D.J., T.R.N., R...	16-952	Guilford
In re: T.N.	16-1011	Guilford
In re: A.S.	16-1077	Forsyth
In re: J.L.J. & J.L.J.	16-1085	Iredell
In re: L.L.O.	16-1098	Person

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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

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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## COURT CALENDAR BY PANEL

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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## COURT CALENDAR BY PANEL

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD 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. 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

Sent Date: 27 February 2017