

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**

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, 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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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

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 |

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

3.1 Calendar

Monday, 13 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **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 |

Sent Date: 13 February 2017

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 13 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **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 |

North Carolina Court of Appeals

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3.1 Calendar

Monday, 20 March 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **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 |

Sent Date: 17 February 2017

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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

Sent Date: 27 February 2017

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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 |