

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, 2 October 2017

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE ANN MARIE CALABRIA
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 2ND OF OCTOBER 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. Jones	17-217	Mecklenburg
State v. Thomas	17-313	Gaston
State v. Griffin	17-373	Mecklenburg
State v. Miller	17-405	Wake
State v. Morgan	17-428	McDowell
State v. Goodnight	17-479	Rutherford
Sappington v. Sappington	17-127	Avery
Miller v. Carolina Coast Emer. Physician...	17-453	Harnett
In re: Smith	17-483	Gaston

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COURT CALENDAR BY PANEL

Tuesday, 3 October 2017

PANEL NO. 2

HONORABLE WANDA G. BRYANT
HONORABLE HUNTER MURPHY
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF OCTOBER 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. Johnson	17-244	Wake
State v. Mayo	17-340	Johnston
State v. Holliday	17-374	Iredell
State v. Malloy	17-408	Mecklenburg
State v. Diaz	17-444	Pitt
State v. Squirewell	17-497	Forsyth
Crowell v. Crowell	17-164	Mecklenburg
Creed v. Creed	17-456	Mecklenburg
Alday v. Alday	17-485	Guilford

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COURT CALENDAR BY PANEL

Wednesday, 4 October 2017

PANEL NO. 3

HONORABLE RICK ELMORE
HONORABLE RICHARD DIETZ
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2017**
AT 9:30 a.m.

State v. Friday	17-343	Guilford
Spoor v. Barth	17-308	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 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. Phachoumphone	17-247	Cleveland
State v. Taylor	17-376	Mecklenburg
State v. Johnson	17-412	Cabarrus
State v. Lane	17-451	Alleghany
State v. Lee	17-513	Mecklenburg
Baxley v. Baxley	17-463	Moore
Cole v. Bonaparte's Retreat Prop. Owners...	17-492	Brunswick

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COURT CALENDAR BY PANEL

Wednesday, 4 October 2017

PANEL NO. 4

HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2017**
AT 1:00 p.m.

State v. Spinks

17-413

Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 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. Byrd

17-288

Forsyth

State v. Mitchell

17-369

Wake

State v. Yater

17-390

Wayne

State v. Martin

17-462

Lincoln

State v. Farrow

17-517

Hyde

McVicker v. Bogue Sound Yacht Club, Inc.

17-447

Carteret

Madigan v. Madigan

17-468

Pitt

Standridge v. Standridge

17-493

Richmond

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COURT CALENDAR BY PANEL

Thursday, 5 October 2017

PANEL NO. 5

HONORABLE MARK A. DAVIS
HONORABLE VALERIE J. ZACHARY
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 5TH OF OCTOBER 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. Solomon	17-295	Davidson
State v. Frederick	17-370	Wake
State v. Liverman	17-394	Wake
State v. Quinones	17-415	Wake
State v. Thompson	17-477	Mecklenburg
State v. Vetter	17-524	Lincoln
Sullivan v. Pugh	17-450	Pender
Wilson v. SunTrust Bank	17-482	Cabarrus
Butler v. Scotland Cty. Bd. of Educ.	17-501	Scotland

North Carolina Court of Appeals

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3.1 Calendar

Thursday, 5 October 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **5 OCTOBER 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: S.L.B. & C.A.B.	17-280	Mitchell
In re: Z.M.S., A.Z.S., Z.L.S., M.J.H.	17-356	Lenoir
In re: E.J.V.	17-365	Dare
In re: Z.E.B., Z.Q.B., Z.L.B.	17-382	Guilford
In re: S.A.	17-387	Orange
In re: E.D.B. & G.L.B.	17-476	Iredell

Sent Date: 5 September 2017

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COURT CALENDAR BY PANEL

Monday, 16 October 2017

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE ANN MARIE CALABRIA
HONORABLE CHRIS DILLON

Note: Judge John Arrowood will sit for Chief Judge Linda M. McGee - COA17-472.

Note: Judge Richard A. Elmore will sit for Judge Ann Marie Calabria - COA17-608.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 16TH OF OCTOBER 2017 AT 1:00 p.m.**

The Comm. To Elect Dan Forest v. Emps. P...

17-569

Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 16TH OF OCTOBER 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. Velasquez-Cardenas

17-422

Wake

State v. Ross

17-442

Lee

State v. Tapia

17-471

Forsyth

In re: J.B.

17-400

Mecklenburg

Amir v. Amir

17-431

Wake

Atl. Coast Props., Inc. v. Saunders

17-472

Currituck

Goins v. Time Warner Cable Se., LLC

17-531

Wake

Ocracomax, LLC v. Davis

17-608

Hyde

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COURT CALENDAR BY PANEL

Tuesday, 17 October 2017

PANEL NO. 2

HONORABLE WANDA G. BRYANT
HONORABLE HUNTER MURPHY
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 2017 AT 9:30 a.m.**

Daughtridge v. Tanager Land, LLC	17-554	Halifax
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 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. Muhammad	17-166	Wake
State v. Reeves	17-305	Madison
State v. Cromartie	17-350	Duplin
VanKirk Electric, Inc. v. Crescent S. Pa...	17-165	Mecklenburg
Barnhill v. Farrell	17-402	Wake
Griffith v. NC Prisoner Legal Servs., In...	17-490	Durham
Jenkins v. Easter Seals UCP of NC & Va.,...	17-540	N.C. Industrial Commission
Bridgers v. Woodruff	17-593	Buncombe

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COURT CALENDAR BY PANEL

Tuesday, 17 October 2017

PANEL NO. 1

HONORABLE CHRIS DILLON
HONORABLE MARK A. DAVIS
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 2017 AT 1:00 p.m.**

State v. Gomola	17-438	Carteret
The NC State Bar v. Ely	17-546	N.C. State Bar

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

**UNC-CH School of Law
Van Hecke-Wettach Hall
160 Ridge Road
Chapel Hill, NC 27599**

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
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COURT CALENDAR BY PANEL

Wednesday, 18 October 2017

PANEL NO. 3

HONORABLE RICK ELMORE
HONORABLE RICHARD DIETZ
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2017** **AT 9:30 a.m.**

State v. Smith	17-384	Bladen
Tillett v. Town of Kill Devil Hills	17-433	Dare

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 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. White	17-214	Mecklenburg
State v. Friend	17-309	Catawba
Oxendine v. Locklear	17-259	N.C. Industrial Commission
Penegar v. United Parcel Serv.	17-404	N.C. Industrial Commission
The NC State Bar v. Foster	17-443	Disciplinary Hearing Commission
Terry v. Harris Teeter Supermarkets, Inc...	17-491	N.C. Industrial Commission
Messer v. Pollack	17-582	Haywood

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COURT CALENDAR BY PANEL

Wednesday, 18 October 2017

PANEL NO. 4

HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2017** **AT 1:00 p.m.**

State v. Lawing	17-231	Wake
Buysse v. Jones	17-419	Orange

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 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. Fernandez	17-322	Mitchell
State v. Franks	17-391	Jackson
Kolczak v. Johnson	17-329	Mecklenburg
Manley v. Maple Grove Nursing Home	17-455	Guilford
Brungard v. Canestorp	17-503	Craven
Cty. of Durham v. Burnette	17-557	Durham
Kyles v. The Goodyear Tire & Rubber Co.	17-594	N.C. Industrial Commission

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COURT CALENDAR BY PANEL

Thursday, 19 October 2017

PANEL NO. 5

HONORABLE MARK A. DAVIS
HONORABLE VALERIE J. ZACHARY
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 19TH OF OCTOBER 2017 AT 9:30 a.m.**

State v. Boyles	17-348	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 19TH OF OCTOBER 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. Ferrell	17-300	Durham
State v. Rankin	17-396	Guilford
Plasman v. Decca Furniture (USA), Inc.	17-358	Catawba
Medlin v. Medlin	17-425	Scotland
Marsh v. Marsh	17-457	Iredell
Shearin v. Reid	17-514	Guilford
McKinney v. Duncan	17-565	Davidson
Avoki v. Eagle Adjusting Serv. Inc.	17-600	Mecklenburg

Sent Date: 26 September 2017

North Carolina Court of Appeals

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

3.1 Calendar

Thursday, 19 October 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **19 OCTOBER 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: H.L.	17-302	McDowell
In re: L.D.P.	17-325	Wilkes
In re: G.P.	17-414	McDowell
In re: A.C-H.	17-466	Brunswick
In re: N.J.P.	17-532	Pitt
In re: L.C.	17-589	Cleveland

Sent Date: 22 September 2017

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

Monday, 23 October 2017

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE LUCY N. INMAN
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF OCTOBER 2017 AT 2:00 p.m.**

McCall v. Million	17-403	Watauga
Round Boys, LLC v. Vill. of Sugar Mounta...	17-515	Avery

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

**Watauga County Administration Building
County Commissioners' Board Room
814 W. King Street
Boone, NC 28607**

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, 24 October 2017

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE ANN MARIE CALABRIA
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 24TH OF OCTOBER 2017 AT 2:00 p.m.**

State v. Mylett	17-480	Watauga
Kabasan v. Kabasan	17-254	Buncombe

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

Alleghany County Courthouse
12 N. Main Street
Sparta, NC 28675

North Carolina Court of Appeals

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

Supplemental Calendar

Thursday, 26 October 2017

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **26 OCTOBER 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. Mosby	16-1295	Brunswick
State v. Farrar	17-215	Alamance
State v. Reaves	17-316	Person
State v. Hair	17-330	Cumberland
State v. Singleton	17-392	Buncombe
State v. Scogins	17-526	Mecklenburg
State v. Womble	17-572	Cumberland

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COURT CALENDAR BY PANEL

Tuesday, 31 October 2017

PANEL NO. 2

HONORABLE WANDA G. BRYANT
HONORABLE HUNTER MURPHY
HONORABLE JOHN ARROWOOD

Note: Judge Chris Dillon will sit for Judge Hunter Murphy - COA#17-481.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 2017 AT 9:30 a.m.**

City of Hickory v. Grimes

17-441

Catawba

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 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

17-172

Alamance

State v. Thorpe

17-307

Person

State v. Johnson

17-423

Martin

State v. Mumma

17-481

Swain

State v. Gray

17-508

Mecklenburg

State v. Monroe

17-538

Randolph

Stokes v. Stokes

17-440

Union

In re: The Adoption of S.K.G.

17-638

Wake