

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, 2 April 2018

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE DONNA STROUD
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 2ND OF APRIL 2018.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH
CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Cox	17-862	Macon
State v. Bennett	17-1027	Sampson
State v. Barnette	17-1082	Cabarrus
Dep't of Transp. v. Hoerner	17-1035	Forsyth
Dep't of Transp. v. Oak Grove Moravian C...	17-1036	Forsyth
Dep't of Transp. v. McKinney	17-1037	Forsyth
Dep't of Transp. v. Oak Grove Moravian C...	17-1038	Forsyth
Dep't of Transp. v. Vanhoy	17-1039	Forsyth
Dep't of Transp. v. Caldwell	17-1040	Forsyth

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COURT CALENDAR BY PANEL

Tuesday, 3 April 2018

PANEL NO. 2

HONORABLE WANDA G. BRYANT
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Hines	17-968	Johnston
State v. Bowman	17-1053	Pitt
State v. Scott	17-1181	Mecklenburg
Holcombe v. Oak Island Aircraft Hous., L...	17-1081	Brunswick
Church v. Decker	17-1119	Caldwell
Church v. Decker	17-1120	Caldwell
Stewart v. Steel Creek Prop. Owners Ass'...	17-1213	Transylvania
Grodensky v. McLendon	17-1258	Durham
In re: E.J.B.	17-1432	Onslow

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COURT CALENDAR BY PANEL

Wednesday, 4 April 2018

PANEL NO. 3

HONORABLE RICK ELMORE
HONORABLE JOHN M. TYSON
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF APRIL 2018 AT 9:30 a.m.**

French Broad Place, LLC v. Asheville Sav...	17-1087	Transylvania
Savage Towing, Inc. v. Town of Cary	17-1228	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Buchanan	17-746	Lee
State v. Bennett	17-986	Wake
State v. Freeman	17-1066	Wake
Stippich v. Reese's Transit, Inc.	17-997	N.C. Industrial Commission
McCleave v. Dover Volunteer Fire Dept.	17-1123	Craven
Giusto v. Robertson Ventures, Inc.	17-1205	Wake
In re: Worsham	17-1268	Mecklenburg

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COURT CALENDAR BY PANEL

Wednesday, 4 April 2018

PANEL NO. 4

HONORABLE CHRIS DILLON
HONORABLE RICHARD DIETZ
HONORABLE JOHN ARWOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Garcia	17-912	Haywood
State v. Foster	17-989	Vance
State v. Parker	17-1067	Pitt
Mathis v. Mathis	17-1071	Harnett
Preferred Concrete Polishing, Inc. v. Pi...	17-1092	Forsyth
Hill v. Hill	17-1125	Buncombe
Averitt v. Averitt	17-1206	Cumberland
Midgette v. Concepcion	17-1230	Pitt
Lewis v. Lowe's Home Ctrs., LLC	17-1272	N.C. Industrial Commission

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COURT CALENDAR BY PANEL

Thursday, 5 April 2018

PANEL NO. 5
HONORABLE MARK A. DAVIS
HONORABLE LUCY N. INMAN
HONORABLE HUNTER MURPHY

Note: Judge John M. Tyson will sit for Judge Hunter Murphy - COA#17-1080.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 5TH OF APRIL 2018 AT 9:30 a.m.**

Smith v. USAA Cas. Ins. Co.	17-1080	Hoke
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 5TH OF APRIL 2018.** 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	17-925	Gaston
State v. McKoy	17-1025	Guilford
State v. Latham	17-1075	Union
Gaines v. Gaines	17-1114	Iredell
Radinger v. Asheville Sch., Inc.	17-1173	Buncombe
Brooks v. City of Winston-Salem	17-1208	N.C. Industrial Commission
Coffey v. Coffey	17-1243	Carteret
Bus. Improvement Techs., Inc. v. World F...	17-1274	Wake

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COURT CALENDAR BY PANEL

Wednesday, 11 April 2018

PANEL NO. 3

HONORABLE RICK ELMORE
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF APRIL 2018 AT 2:00 p.m.**

State v. Winchester	17-1099	Guilford
Brubach v. Peterson	17-1200	New Hanover

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

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

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COURT CALENDAR BY PANEL

Monday, 16 April 2018

PANEL NO. 1

HONORABLE LINDA M. MCGEE
HONORABLE DONNA STROUD
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 16TH OF APRIL 2018.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH
CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Degand	17-1026	Wake
State v. Clapp	17-1104	Wilkes
State v. Eller	17-1124	Davidson
Dep't of Transp. v. Ferrell Constr. Co.	17-1041	Forsyth
Dep't of Transp. v. Thore	17-1043	Forsyth
Dep't of Transp. v. Marshall	17-1044	Forsyth
Dep't of Transp. v. Miller	17-1045	Forsyth
Dep't of Transp. v. Decker	17-1046	Forsyth
Kings Harbor Homeowners Ass'n, Inc. v. G...	17-1301	Onslow

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COURT CALENDAR BY PANEL

Tuesday, 17 April 2018

PANEL NO. 2

HONORABLE WANDA G. BRYANT
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF APRIL 2018.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH
CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Davis	17-1083	Brunswick
State v. Hicks	17-1109	Mecklenburg
State v. Miller	17-1130	Guilford
In re: Byrd	17-1150	Guilford
Krause v. RK Motors, LLC	17-1168	Mecklenburg
Branton v. Branton	17-1207	Alexander
Brown v. NC Dep't of Pub. Safety	17-1220	N.C. Industrial Commission
Andrews v. Northview Constr., LLC	17-1309	Orange
In re: Menendez	17-1341	Guilford

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COURT CALENDAR BY PANEL

Wednesday, 18 April 2018

PANEL NO. 3

HONORABLE RICK ELMORE
HONORABLE JOHN M. TYSON
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF APRIL 2018 AT 9:30 a.m.**

State v. Courtney	17-1095	Wake
LMSP, LLC v. Town of Boone	17-1241	Watauga

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Brown	17-1110	Mecklenburg
State v. Orellana	17-1133	Guilford
Davis v. Rizzo	17-1153	Durham
Mastny v. Mastny	17-1171	Wake
Yancey Cty. v. Jones	17-1214	Yancey
McDonald v. The Bank of N.Y. Mellon Tr. ...	17-1310	Cumberland
Burgess v. Smith	17-1352	Haywood

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COURT CALENDAR BY PANEL

Wednesday, 18 April 2018

PANEL NO. 4

HONORABLE CHRIS DILLON
HONORABLE RICHARD DIETZ
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Charles	17-937	Henderson
State v. Lewis	17-1096	Hoke
State v. Smith	17-1116	Rowan
Khaja v. Husna	17-763	Wake
Kennihan v. Kennihan	17-1154	Chatham
In re: M.D.	17-1198	Wake
Strazzanti v. Dolce	17-1217	Mecklenburg
Scheinert v. Scheinert	17-1227	Randolph
Kish v. Frye Reg'l Med. Ctr.	17-1314	N.C. Industrial Commission

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COURT CALENDAR BY PANEL

Thursday, 19 April 2018

PANEL NO. 5

HONORABLE MARK A. DAVIS
HONORABLE LUCY N. INMAN
HONORABLE HUNTER MURPHY

**Note: Judge Robert N. Hunter, Jr., will sit for Judge Mark A. Davis - COA#17-1126.
Judge Rick Elmore will sit for Judge Mark A. Davis - COA#17-1155.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 19TH OF APRIL 2018 AT 9:30 a.m.**

State v. Stanley	17-1000	Durham
Moch v. A.M. Pappas & Assocs., LLC	17-1126	Orange

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 19TH OF APRIL 2018.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Dancy	17-1103	Cabarrus
State v. LaClaire	17-1122	Robeson
Phifer v. Pasquotank Cty.	17-1155	Pasquotank
Silver v. Chase Props., Inc.	17-1204	Orange
Fuller v. Rafael E. Negron-Medina, M.D.	17-1218	Vance
In re: Coggins	17-1275	Property Tax Commission
Rolls v. Just Stumps, Inc.	17-1322	N.C. Industrial Commission