

# 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, 5 March 2018

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ANN MARIE CALABRIA  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 5TH OF MARCH 2018 AT 1:00 p.m.**

State v. Porter	17-738	Pender
Mastanduno v. Nat'l Freight Indus.	17-1058	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 5TH OF MARCH 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. Alvarez	17-945	Lenoir
State v. Webber	17-1015	Cleveland
Grodner v. Grodner	17-570	Pitt
Grodner v. Grodner	17-813	Pitt
AVR Davis Raleigh, LLC v. Triangle Const...	17-958	Wake
Saunders v. Hull Prop. Grp., LLC	17-1115	Henderson
Emerson v. Cape Fear Country Club, Inc.	17-1149	New Hanover

Sent Date: 12 February 2018

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## COURT CALENDAR BY PANEL

Tuesday, 6 March 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 6TH OF MARCH 2018 AT 9:30 a.m.**

NNN Durham Off. Portfolio 1, LLC v. Grub...	17-607	Durham
NNN Durham Off. Portfolio 1, LLC v. High...	17-756	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF MARCH 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. Fincher	17-843	Buncombe
State v. Hill	17-993	Wayne
State v. Spaulding	17-1016	Robeson
Whitley v. Bauguess	17-1047	Wilkes
Pryor v. Express Servs.	17-1060	N.C. Industrial Commission
Regency Lake Owners' Ass'n, Inc. v. Rege...	17-1117	Iredell
In re: Sharpe	17-1151	Alamance

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## COURT CALENDAR BY PANEL

Wednesday, 7 March 2018

PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN  
HONORABLE PHIL BERGER, JR.

**Note: Judge Hunter Murphy will sit for Judge Phil Berger, Jr., - COA#17-1176.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MARCH 2018 AT 9:30 a.m.**

Winkler v. NC State Bd. of Plumbing, Hea...	17-873	Watauga
Town of Littleton v. Layne Heavy Civ., I...	17-1137	Halifax

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MARCH 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. Collins	17-849	Wilkes
State v. Delegge	17-980	Buncombe
State v. Delegge	17-1002	Haywood
Rathkamp v. Danello	17-760	Mecklenburg
Bourque v. Roman Catholic Diocese of Cha...	17-1054	Mecklenburg
Li v. Chung	17-1069	Forsyth
Watlinton v. Dep't of Soc. Servs. Rocki...	17-1176	Office of Admin. Hearings

Sent Date: 12 February 2018

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## COURT CALENDAR BY PANEL

Wednesday, 7 March 2018

PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS  
HONORABLE JOHN ARROWOOD

**Note: Judge Phil Berger, Jr. will sit for Judge John Arrowood - COA#17-1032.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MARCH 2018 AT 1:00 p.m.**

State v. Black	17-963	Cumberland
Cordaro v. Harrington Bank, FSB	17-1032	Chatham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MARCH 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. Leonard	17-898	Transylvania
State v. Zinna	17-1028	Gaston
NC Dep't of Ins. v. Mathis	17-752	Union
Miller v. Burlington Chem. Co., LLC	17-933	Guilford
Antico v. NC Dep't of Pub. Safety	17-1085	Office of Admin. Hearings
Cohen v. Franklin Cty. Sch.	17-1140	N.C. Industrial Commission
Russell v. Wofford	17-1191	New Hanover

Sent Date: 12 February 2018

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## COURT CALENDAR BY PANEL

Thursday, 8 March 2018

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE RICHARD DIETZ  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 8TH OF MARCH 2018 AT 9:30 a.m.**

Eisenbrown v. Town of Lake Lure	17-934	Rutherford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF MARCH 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. Jackson	17-939	Perquimans
State v. Gibson	17-1012	Gaston
State v. Shaw	17-1061	Forsyth
Hewitt v. Hewitt	17-791	Mecklenburg
GEA, Inc. v Luxury Auctions Mktg., Inc.	17-1055	Mecklenburg
Nationwide Affinity Ins. Co. of Am. v. B...	17-1086	Wake
Dunnigan v. Mack	17-1148	Watauga
Bowman v. Bros. Air & Heat, Inc.	17-1203	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 20 March 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 20TH OF MARCH 2018 AT 10:00 a.m.**

State v. Ayers	17-725	Wake
DTH Media Corp. v. Folt	17-871	Wake

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

**North Carolina Central University School of Law  
640 Nelson Street  
Durham, N. C. 27707**

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## COURT CALENDAR BY PANEL

Tuesday, 20 March 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 20TH OF MARCH 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. Taylor	17-730	New Hanover
State v. Calabrese	17-1001	Johnston
Rouse v. Forsyth Cty. DSS	17-884	Office of Admin. Hearings
In re: T.T.	17-985	Durham
Peterson v. Caswell Developmental Ctr. D...	17-1139	Office of Admin. Hearings
White v. Guest Servs., Inc.	17-1156	N.C. Industrial Commission
Newton v. Gariepy	17-1175	Durham

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## COURT CALENDAR BY PANEL

Wednesday, 21 March 2018

### PANEL NO. 3

HONORABLE RICK ELMORE  
HONORABLE LUCY N. INMAN  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MARCH 2018 AT 9:30 a.m.**

State v. Nobles	17-516	Jackson
State v. Mazur	17-736	Wake
Henion v. Cty. of Watauga	17-1107	Watauga

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MARCH 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. Corey	17-1031	Burke
Flood v. Crews	17-740	Wake
Quiet Reflections Retreat, Inc. v. The B...	17-887	Yancey
Nixon v. Forsyth Cty.	17-1145	Forsyth
Barnes v McNeill	17-1166	Columbus
DM Tr., LLC v. McCabe & Co.	17-1193	Carteret



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## COURT CALENDAR BY PANEL

Wednesday, 21 March 2018

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MARCH 2018 AT 1:00 p.m.**

NC Dep't of Envtl. Quality v. TRK Dev., ...	17-882	Cabarrus
LeTendre v. Currituck Cty.	17-1108	Currituck

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MARCH 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. Ferrer	17-655	Person
State v. Robinson	17-839	Rowan
State v. Giles	17-1068	Mecklenburg
Hamlet H.M.A., LLC v. Hernandez	17-744	Richmond
Price v. Paschall	17-1146	Durham
Bluitt v. Wake Forest Univ. Baptist Med....	17-1170	Forsyth
Prince v. Underground Constr. Co., Inc.	17-1195	N.C. Industrial Commission

Sent Date: 27 February 2018

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## COURT CALENDAR BY PANEL

Thursday, 22 March 2018

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE RICHARD DIETZ  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 22ND OF MARCH 2018 AT 9:30 a.m.**

Emert v. Smith	17-1121	Mecklenburg
Haarhuis v. Cheek	17-1179	Chatham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 22ND OF MARCH 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. Forte	17-669	Wilson
State v. Hoppes	17-861	Cleveland
State v. Gordon	17-1077	Forsyth
Ross v. N.C. State Bureau of Investigati...	17-794	N.C. Industrial Commission
Kiggins v. Craven	17-910	New Hanover
Roberson v. Tr. Servs. of Carolina, LLC	17-1152	Wake
Carroll v. Manville	17-1172	N.C. Industrial Commission