

# 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, 1 October 2018

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICK ELMORE  
HONORABLE JOHN ARROWOOD

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

State v. Cole	18-286	Buncombe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 1ST OF OCTOBER 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. Choppy	18-167	Buncombe
State v. Averette	18-227	Pitt
State v. Johnson	18-241	Cabarrus
State v. Byers	18-250	Mecklenburg
State v. Whitmire	18-308	Buncombe
In re: Duncan	18-318	Randolph
Rosen v. The Club At Longview, LLC	18-364	Mecklenburg
Gonzalez v. Tidy Maids, Inc.	18-406	N.C. Industrial Commission

Sent Date: 4 September 2018

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 2 October 2018

### PANEL NO. 2

HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 2ND OF OCTOBER 2018 AT 3:00 p.m.**

State v. Jackson	18-417	Forsyth
Chavez v. Carmichael	18-317	Mecklenburg

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

**Wake Forest University School of Law  
Worrell Professional Center  
1834 Wake Forest Road  
Winston Salem, N. C. 28106**

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## COURT CALENDAR BY PANEL

Tuesday, 2 October 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICHARD DIETZ  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 2ND OF OCTOBER 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. Payne	17-1132	Buncombe
State v. Gonzalez	18-228	Forsyth
State v. West	18-242	Cumberland
State v. Gilliam	18-260	Alexander
State v. Clark	18-291	Buncombe
State v. Aguilh	18-310	Gaston
Lambert v. Morris	18-189	Stanly
Glasgow v. Peoplease Corp.	18-348	N.C. Industrial Commission
ECMD, Inc. v. Grubbs	18-377	Guilford

Sent Date: 4 September 2018

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## COURT CALENDAR BY PANEL

Wednesday, 3 October 2018

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF OCTOBER 2018** **AT 9:30 a.m.**

State v. Irabor	18-243	Buncombe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF OCTOBER 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. Pilkington	18-38	Onslow
State v. Allen	18-195	Union
State v. Coley	18-234	Guilford
State v. Hazel	18-266	Forsyth
State v. Jamison	18-292	Guilford
QUB Studios, LLC v. Marsh	18-205	Guilford
NationStar Mortg. LLC v. Curry	18-351	Wilkes
Servatius v. Ryals	18-385	Mecklenburg

Sent Date: 4 September 2018

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## COURT CALENDAR BY PANEL

Wednesday, 3 October 2018

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF OCTOBER 2018**  
**AT 1:00 p.m.**

Ashe Cty. v. Ashe Cty. Plan. Bd.	18-253	Ashe
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 3RD OF OCTOBER 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	18-122	Pender
State v. Kewish	18-214	Wake
State v. Gorham	18-235	Rockingham
State v. Waycaster	18-247	McDowell
State v. Casey	18-269	Randolph
State v. Bennett	18-294	Craven
Jackson v. Don Johnson Forestry, Inc.	18-354	Bertie
Hughes v. Drohan	18-399	Forsyth

Sent Date: 4 September 2018

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## COURT CALENDAR BY PANEL

Thursday, 4 October 2018

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS  
HONORABLE HUNTER MURPHY

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

State v. Seam	18-202	Davidson
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 4TH OF OCTOBER 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. Delair	18-124	Cabarrus
State v. Terrell	18-237	Mecklenburg
State v. Satterwhite	18-249	Edgecombe
State v. Dukes	18-274	Onslow
State v. Jarvis	18-296	Mecklenburg
Hunt v. Collinsworth	18-301	Iredell
Dill v. Loiseau	18-361	Mecklenburg
Brinkley-Caldwell v. Britthaven, Inc.	18-400	New Hanover

Sent Date: 4 September 2018

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 4 October 2018

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **4 OCTOBER 2018** 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.	18-280	Orange
In re: D.E.	18-321	Edgecombe
In re: N.J.H.	18-381	Johnston
In re: D.C., Jr., J.C., D.C.	18-482	Swain
In re: A.B.C.	18-492	Columbus
In re: K.K.L-H.	18-598	Avery

Sent Date: 10 September 2018

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 11 October 2018

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **11 OCTOBER 2018** 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: E.J.R., A.J.R., D.F.R.	18-270	Johnston
In re: J.N.M. & L.K.M.	18-470	Wake
In re: M.M.S.W.	18-522	Gaston
In re: J.D.L.B.	18-579	Yadkin
In re: I.B.	18-608	Orange
In re: H.H.	18-628	Orange



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## COURT CALENDAR BY PANEL

Monday, 15 October 2018

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICK ELMORE  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 15TH OF OCTOBER 2018 AT 1:00 p.m.**

Propst Bros. Dists., Inc. v. Shree Kamna...	18-519	Cabarrus
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 15TH OF OCTOBER 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. Brewer	18-320	Chatham
State v. Rawlinson	18-325	Greene
State v. Hassell	18-345	Craven
State v. Wirt	18-375	Randolph
State v. Orr	18-424	Mecklenburg
State v. Smith	18-529	Mecklenburg
In re: Radcliff	18-419	Iredell
Woodlief v. Canal Wood L.L.C.	18-447	Franklin

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## COURT CALENDAR BY PANEL

Tuesday, 16 October 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 16TH OF OCTOBER 2018 AT 10:00 a.m.**

State v. Shelton	17-1426	Onslow
Aesthetic Facial & Ocular Plastic Surger...	18-431	Wake

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

**Duke University School of Law  
210 Science Drive  
Room 4049  
Durham, N. C. 27708**

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## COURT CALENDAR BY PANEL

Tuesday, 16 October 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICHARD DIETZ  
HONORABLE LUCY N. INMAN

**Note: Judge Mark A. Davis will sit for Judge Lucy N. Inman - COA#18-531.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 16TH OF OCTOBER 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. Oglesby	18-277	Mecklenburg
State v. Mitchell	18-333	Bladen
State v. Slade	18-352	Alamance
State v. Bova	18-413	Iredell
State v. Tyson	18-459	Pitt
State v Morgan	18-575	Pitt
Giesecking v. Town of Grover	18-441	Cleveland
WBTV, LLC v. Ashe Cty.	18-452	Ashe
Halifax Cty. v. Empire Foods, Inc.	18-531	Halifax

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## COURT CALENDAR BY PANEL

Wednesday, 17 October 2018

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE CHRIS DILLON  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF OCTOBER 2018**  
**AT 1:00 p.m.**

State v. Augustin	18-373	Rowan
Rivera v. Matthews	18-359	Lee

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

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

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## COURT CALENDAR BY PANEL

Wednesday, 17 October 2018

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF OCTOBER 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. DeGraffenried	18-37	Guilford
State v. McKoy	18-152	Johnston
State v. Kraft	18-330	Forsyth
State v. Coles	18-357	Forsyth
State v. Ocegueda	18-414	Rockingham
State v. Rudisill	18-464	Catawba
Kyle Busch Motorsports, Inc. v. Boston	18-426	Iredell
Boswell v. Boswell	18-462	New Hanover
Padron v. Bentley Marine Grp., LLC	18-537	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 17 October 2018

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 17TH OF OCTOBER 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. Narron	18-193	Johnston
State v. Kawelo	18-316	Randolph
State v. Mayo	18-331	Guilford
State v. Stephens	18-363	Randolph
State v. Smith	18-421	Henderson
State v. Dowd	18-491	Wake
Crews v. Crews	18-42	Davidson
Bradshaw v. Bradshaw	18-432	Camden
Gilmartin v. Gilmartin	18-466	Pasquotank

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## COURT CALENDAR BY PANEL

Thursday, 18 October 2018

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE MARK A. DAVIS  
HONORABLE HUNTER MURPHY

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

State v. Shackelford	18-273	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 18TH OF OCTOBER 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. Cole	18-213	Guilford
State v. Corbett	18-327	Wake
State v. Jefferson	18-372	Johnston
State v. Thompson	18-423	Lincoln
State v. Spikes	18-501	Alamance
Am. Express Bank, FSB v. Voyksner	18-319	Chatham
Veer Right Mgmt. Grp., Inc. v. Czarnowsk...	18-420	Wilson
McCammitt v. Chen	18-480	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 30 October 2018

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE RICHARD DIETZ  
HONORABLE LUCY N. INMAN

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

Reed v. Carolina Holdings	18-376	Wake
Reed v. Carolina Holdings	18-597	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 30TH OF OCTOBER 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. Rinehart	18-298	Caldwell
State v. Hugo	18-342	Onslow
State v. Sanders	18-476	Macon
Duke Energy Progress, Inc. v. Kane	18-239	Wake
Nordman v Nordman	18-405	Iredell
King v. Pike Electric	18-440	N.C. Industrial Commission
McKinney v. McKinney	18-475	Guilford



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## COURT CALENDAR BY PANEL

Wednesday, 31 October 2018

### PANEL NO. 4

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE PHIL BERGER, JR.

**Note: Judge Richard A. Elmore will sit for Judge Philip Berger, Jr. - COA#18-409.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 31ST OF OCTOBER 2018 AT 1:00 p.m.**

MTGLQ Investors, L.P. v. Curnin

18-349

Brunswick

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

18-14

Madison

State v. Swafford

18-324

Cleveland

State v. Clark

18-382

Iredell

Bordini v. Donald J. Trump For President...

18-409

Mecklenburg

Clemons v. Clemons

18-433

Cabarrus

Evans v. Croft

18-468

Onslow

Huml v. Huml

18-484

Wake

Conklin v. Conklin

18-509

Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 31 October 2018

### PANEL NO. 3

HONORABLE ANN MARIE CALABRIA  
HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY

**Note: Judge Donna Stroud will sit for Judge John M. Tyson - COA#18-512.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 31ST OF OCTOBER 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. Pierce	18-358	Columbus
State v. Gaskins	18-512	Wake
State v. Godfrey	18-565	Caldwell
Reid v. Sterritt	18-323	Pasquotank
Ayscue v. Griffin	18-379	Bertie
Martin v. Martin	18-465	Wake
Lampkins v. N.C. Dep't of Pub. Safety	18-483	N.C. Industrial Commission
East Hardwood Co., Inc. v. Trader	18-498	Carteret
Martin v. The Landfall Council of Ass'ns...	18-505	New Hanover

Sent Date: 1 October 2018