

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 10 January 2019

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **10 JANUARY 2019** 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: J.P.N.	18-622	Iredell
In re: G.G.K. & C.R.K.	18-640	Wake
In re: N.L.C.	18-669	Caldwell
In re: N.A.C.	18-721	Forsyth
In re: S.M.	18-759	Iredell
In re: I.C.	18-869	Henderson

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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, 14 January 2019

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE TOBIAS HAMPSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 14TH OF JANUARY 2019 AT 1:00 p.m.**

Walker Wilson Props., LLC v. Eagle Lake ...	18-254	Transylvania
Nanny's Korner Day Care Ctr., Inc. v. NC...	18-679	Robeson

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 14TH OF JANUARY 2019.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Lopez	18-13	Wake
State v. Robinson	18-343	Mecklenburg
State v. Brinkley	18-435	Johnston
State v. Rivera	18-517	Wake
State v. Moss	18-680	Clay
State v. Nixon	18-787	New Hanover
Summit De Corp. v. Kweider Bros. Inc.	18-353	Mecklenburg
Simms v. Bolger	18-551	Mecklenburg
Tarr v. Zalaznik	18-649	Cumberland
Simms v. Bolger	18-716	Mecklenburg

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 14 January 2019

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **14 JANUARY 2019** 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. Brown	18-279	Buncombe
State v. Lamberth	18-370	Person
State v. White	18-401	Duplin
State v. Dotson	18-443	Haywood
State v. Davis	18-471	Johnston
State v. Johnson	18-556	Rowan
State v. McKoy	18-564	Harnett
Brunson v. NC Dep't of Justice	18-656	N.C. Industrial Commission
Brunson v. NC Dep't of Justice	18-837	N.C. Industrial Commission

Sent Date: 2 January 2019

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## COURT CALENDAR BY PANEL

Tuesday, 15 January 2019

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 15TH OF JANUARY 2019 AT 9:30 a.m.**

State v. Gamez	18-436	Harnett
Hager v. Smithfield East Health Holdings...	18-651	Johnston

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 15TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Lopes	18-161	Union
State v. Ward	18-369	Forsyth
State v. Gibson	18-448	Vance
State v. Al-Hamood	18-682	Wake
State v. Smith	18-789	Caldwell
Mathis v. Jones	18-262	Union
Hill v. Durrett	18-515	Mecklenburg
O'Buckley v. O'Buckley	18-676	Iredell
Cronje v. Johnston	18-698	Caldwell
Henry v. Morgan	18-731	Durham

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## COURT CALENDAR BY PANEL

Wednesday, 16 January 2019

### PANEL NO. 3

HONORABLE DONNA STROUD  
HONORABLE RICHARD DIETZ  
HONORABLE PHIL BERGER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF JANUARY 2019**  
**AT 9:30 a.m.**

State v. Sadler	18-812	Mecklenburg
Denney v. Wardson Constr., Inc.	18-667	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Bros.	18-177	Pitt
State v. Martin	18-404	Carteret
State v. Lane	18-444	Edgecombe
State v. Foster	18-540	Polk
State v. Logan	18-723	McDowell
Young v. Bailey	18-664	Mecklenburg
McLaughlin v. Bailey	18-665	Mecklenburg
Lloyd v. Bailey	18-666	Mecklenburg
State of NC v. Kinston Charter Acad.	18-688	Wake
State Farm Mut. Auto. Ins. Co. v. Don's ...	18-735	Wake

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## COURT CALENDAR BY PANEL

Wednesday, 16 January 2019

### PANEL NO. 4

HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF JANUARY 2019** **AT 1:00 p.m.**

State v. Forney	18-418	Mecklenburg
Caldwell Mem'l Hosp., Inc. v. NC Dep't o...	18-586	Office of Admin. Hearings

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Spencer	18-304	Randolph
State v. Parks	18-520	Wilson
State v. Robinson	18-661	Mecklenburg
State v. Jones	18-748	Onslow
State v. Whitmore	18-798	Halifax
In re: B.M.B.	18-428	Caldwell
In re: C.S.	18-439	Mecklenburg
Dep't of Transp. v. Hutchinsons, LLC	18-675	Wilkes
Robinson v. GGNHC Holdings, LLC	18-706	Pitt
Stathum-Ward v. Wal-Mart Stores, Inc.	18-738	Wake

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## COURT CALENDAR BY PANEL

Thursday, 17 January 2019

### PANEL NO. 5

HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY  
HONORABLE ALLEGRA COLLINS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 17TH OF JANUARY 2019 AT 9:30 a.m.**

State v. Sheridan	18-312	Wake
Walker v. K&W Cafeterias	18-429	N.C. Industrial Commission
Boles v. Town of Oak Island	18-806	Brunswick

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 17TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Wardrett	18-434	Nash
State v. Berrier	18-453	Randolph
State v. Koke	18-662	New Hanover
State v. Little	18-757	Mecklenburg
State v. Chevallier	18-860	Duplin
In re: Aaron's Inc.	18-607	Property Tax Commission
Preston v. Movahed	18-674	Pitt
Hampton v. NC Dep't of Transp.	18-684	N.C. Industrial Commission
In re: J.P.S.	18-708	Mecklenburg

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## COURT CALENDAR BY PANEL

Monday, 28 January 2019

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE TOBIAS HAMPSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 28TH OF JANUARY 2019 AT 1:00 p.m.**

Wright v. NC Off. of State Hum. Res.	18-276	Office of Admin. Hearings
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF JANUARY 2019.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Bennett	18-606	Iredell
State v. Ruffin	18-645	Alamance
State v. Cox	18-692	Onslow
Hartley Ready Mix Concrete Mfg., Inc. v....	18-580	Forsyth
Adams v. Langdon	18-718	Johnston
Chalk v. Braakman	18-792	Wake
Lea v. David's Bridal of Greensboro, Inc...	18-835	N.C. Industrial Commission
Weishaupt-Smith v. Town of Banner Elk	18-903	Avery



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## COURT CALENDAR BY PANEL

Tuesday, 29 January 2019

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 29TH OF JANUARY 2019 AT 9:30 a.m.**

Tipton v. Delta Sigma Phi Fraternity, In...	18-581	Guilford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Seeman	18-969	Pitt
State v. Gaskins	18-970	Pitt
State v. Kesler	18-971	Pitt
Claudio v. Sellers	18-636	Wake
Stewart v. Shipley	18-745	Surry
Janeway v. Hallyburton	18-796	Forsyth
Gray v. Fed. Nat'l Mortg. Ass'n	18-871	Dare
Sluder v. Sluder	18-920	Buncombe

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## COURT CALENDAR BY PANEL

Wednesday, 30 January 2019

### PANEL NO. 3

HONORABLE DONNA STROUD  
HONORABLE RICHARD DIETZ  
HONORABLE PHIL BERGER, JR.

**Note: Judge John Arrowood will sit for Judge Phil Berger, Jr. - COA#18-525.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 2019 AT 9:30 a.m.**

Sykes v. Vixamar

18-525

Nash

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Martin

18-472

Durham

State v. Matthews

18-663

Moore

State v. Cagle

18-720

Randolph

Young v. McClain

18-646

Mecklenburg

Bezzek v. Bezzek

18-761

Orange

Pender Cty. v. Sullivan

18-774

Pender

Rider v. Pryor

18-821

Henderson

Rabo Agrifinance, LLC v. Sills

18-846

Harnett

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## COURT CALENDAR BY PANEL

Wednesday, 30 January 2019

### PANEL NO. 4

HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 2019**  
**AT 1:00 p.m.**

Taylor v. Perni	18-602	Nash
Johnson v. NC Dep't of Pub. Safety	18-822	Office of Admin. Hearings

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Altman	18-544	Chowan
State v. McMahan	18-672	Buncombe
State v. Maier	18-771	Guilford
Arroyo v. Yanez	18-497	Mecklenburg
Arroyo v. Yanez	18-560	Mecklenburg
Cheatham v. Town of Taylortown	18-625	Moore
Wise v. Wise	18-858	Lincoln

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## COURT CALENDAR BY PANEL

Thursday, 31 January 2019

### PANEL NO. 5

HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY  
HONORABLE ALLEGRA COLLINS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 31ST OF JANUARY 2019 AT 9:30 a.m.**

State v. Corbett/Martens	18-714	Davidson
Donnell-Smith v. McLean	18-613	Harnett

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 31ST OF JANUARY 2019**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Renderos	18-590	Wake
State v. Watts	18-686	Mecklenburg
Slok, LLC v. Courtside Condo. Owners Ass...	18-736	Mecklenburg
Feeassco, LLC v. The Steel Network, Inc.	18-739	Durham
In re: Est. of Johnson	18-778	Anson
Wright v. Alltech Wiring & Controls	18-833	N.C. Industrial Commission
Cogdill v. Sylva Supply Co., Inc.	18-845	Jackson

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## 3.1 Calendar

Thursday, 31 January 2019

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In re: S.S.S. & S.R.S.	18-514	Buncombe
In re: J.E.O.	18-585	Onslow
In Re: P.R.T.	18-730	Guilford
In re: K.S.	18-763	Orange
In re: D.P., J.P., J.P.	18-857	Wake
In re: A.W.	18-877	New Hanover

Sent Date: 8 January 2019