

# 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

Tuesday, 5 March 2019

### PANEL NO. 1

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 5TH OF MARCH 2019 AT 2:00 p.m.**

State v. Schmieder	18-1027	Henderson
Poage v. Cox	18-1066	Forsyth

**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

Tuesday, 12 March 2019

### PANEL NO. 1

HONORABLE LINDA M. MCGEE  
HONORABLE RICHARD DIETZ  
HONORABLE ALLEGRA COLLINS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 12TH OF MARCH 2019 AT 9:30 a.m.**

Wilson v. Cont'l Tire The Ams.	18-766	N.C. Industrial Commission
Newell v. Cont'l Tire The Ams.	18-767	N.C. Industrial Commission
Epps v. Cont'l Tire The Ams.	18-768	N.C. Industrial Commission
Welch v. Cont'l Tire The Ams.	18-769	N.C. Industrial Commission
Hinson v. Cont'l Tire The Ams.	18-770	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 12TH OF MARCH 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. Case	18-746	Madison
State v. Goforth	18-851	Iredell
State v. Woody	18-1001	Guilford
McCullers v. Lewis	18-825	Wake
In re: A.L.L.	18-902	Beaufort
In re: T.J.M.L.	18-1022	Alleghany
In re: D.F.J.	18-1127	Buncombe

Sent Date: 13 February 2019

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## COURT CALENDAR BY PANEL

Wednesday, 13 March 2019

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE CHRIS DILLON  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF MARCH 2019 AT 9:30 a.m.**

State v. Peralta	18-374	Durham
Warren v. N.C. Dep't of Crime Control & ...	18-532	Wake
Raleigh Radiology LLC v. NC Dep't of Hea...	18-785	Office of Admin. Hearings

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF MARCH 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. Marsh	18-808	Cumberland
State v. Carter	18-901	Iredell
In re: M.N.P., C.H.P., D.A.P.	18-824	Wake
Woodard v. The Goodyear Tire & Rubber Co...	18-865	N.C. Industrial Commission
Palmer v. Cline	18-924	Surry
Brown v. Lattimore Living Tr.	18-941	Wake
In re: J.J., Y.J., J.J., E.J., E.J., M.S...	18-989	Durham
In re: J.D.	18-1036	Guilford
In re: K.B. & K.B.	18-1072	Craven

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## COURT CALENDAR BY PANEL

Wednesday, 13 March 2019

### PANEL NO. 3

HONORABLE DONNA STROUD  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF MARCH 2019 AT 1:00 p.m.**

State v. Denton	18-742	Madison
Walsh v. Cornerstone Health Care, P.A.	18-925	Davidson

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF MARCH 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. Flowers	18-832	Jackson
State v. Hughes	18-967	Transylvania
Bache v. TIC-Gulf Coast	18-788	N.C. Industrial Commission
In re: M.T-L.Y.	18-826	Forsyth
Pangea Capital Mgmt., LLC v. Lakian	18-956	Macon
Deminski v. The State Bd. Of Educ.	18-988	Wake
Jones v. Jones	18-991	Rowan
In re: C.M.B.	18-1002	Surry
Brawley v. Sherrill	18-1043	Iredell
In re: N.B., M.S., L.W.	18-1087	Onslow

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## COURT CALENDAR BY PANEL

Thursday, 14 March 2019

### PANEL NO. 4

HONORABLE MARK A. DAVIS  
HONORABLE PHIL BERGER, JR.  
HONORABLE HUNTER MURPHY

**Note: Judge Richard Dietz will sit for Judge Mark A. Davis - COA#18-840.**

**Note: Judge Allegra Collins will sit for Judge Phil Berger, Jr., - COA#18-840.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 14TH OF MARCH 2019 AT 9:30 a.m.**

Everbank Com. Fin., Inc. v. The Hunoval ...	18-909	Lincoln
Woody v. FlightGest, Inc.	18-940	Wake
McFadyen v. New Hanover Cty.	18-840	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 14TH OF MARCH 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. Akins	18-743	Hoke
State v. Prudente	18-827	Forsyth
State v. Charles	18-945	Gaston
In re: N.T., R.E.T., A.M.T., E.G.T., H.F...	18-849	Martin
Lippard v. Holleman	18-873	Iredell
Medport, Inc. v. Am. Ventures Grp., LLC	18-950	Mecklenburg
In re: N.T., R.E.T., A.M.T., E.G.T., H.F...	18-996	Martin
Stella Mare Ristorante & Pizzeria, Inc. ...	18-1042	Wake
In re: C.N.B.	18-1104	New Hanover

Sent Date: 13 February 2019

# North Carolina Court of Appeals

Court of Appeals Building  
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## 3.1 Calendar

Thursday, 14 March 2019

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **14 MARCH 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: S.H.J.	18-655	Cumberland
In The Matters Of: T.M.L.E., T.L.E., Jr....	18-804	Guilford
In re: K.S.K., W.C.J.K., N.G.K.	18-814	Alexander
In re: D.V.G.	18-878	Guilford
In re: D.L.B.	18-912	Wake
In re: H.R.J., B.J., G.J.J.	18-995	Pamlico

# North Carolina Court of Appeals

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## Supplemental Calendar

Thursday, 14 March 2019

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **14 MARCH 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. Bradshaw	17-1286	Buncombe
State v. Shchetinin	18-236	Mecklenburg
State v. Fletcher	18-371	Forsyth
State v. Richardson	18-500	Nash
State v. Hight	18-555	Cabarrus
State v. Chester	18-671	Caldwell
State v. Benjamin	18-751	Mecklenburg
Fed. Nat'l Mortg. Ass'n v. Price	18-775	Ashe
State v. Zimmerman	18-934	Yadkin

Sent Date: 1 March 2019

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## COURT CALENDAR BY PANEL

Tuesday, 26 March 2019

### PANEL NO. 1

HONORABLE RICHARD DIETZ  
HONORABLE JOHN M. TYSON  
HONORABLE TOBIAS HAMPSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 26TH OF MARCH 2019 AT 9:30 a.m.**

Hills Mach. Co., LLC v. Pea Creek Mine, ...	18-890	Pitt
Ayers v. Currituck Cty. Dep't of Soc. Se...	18-1007	Office of Admin. Hearings
Wilmington Sav. Fund Soc'y, FSB v. Mortg...	18-1060	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 26TH OF MARCH 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. York	18-554	Randolph
State v. Pulley	18-797	Mecklenburg
State v. Richardson	18-855	Wake
State v. Raynor	18-942	Sampson
State v. Angram	18-993	Henderson
State v. Miller	18-1041	Forsyth
Foxx v. Foxx	18-728	Catawba
Mount Airy-Surry Cty. Airport Auth. v. A...	18-1019	Surry
Weeks v. Weeks	18-1076	Nash

Sent Date: 26 February 2019



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## COURT CALENDAR BY PANEL

Wednesday, 27 March 2019

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE CHRIS DILLON  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF MARCH 2019 AT 9:30 a.m.**

State v. Ellis	18-817	Stanly
State v. Thompson	18-885	New Hanover
Richardson v. NC State Bureau of Investi...	18-765	Office of Admin. Hearings

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State v. Harrington	18-644	Cumberland
State v. Boykins	18-949	New Hanover
State v. Davis	18-1017	Orange
State v. Brown	18-1107	Alexander
Layton v. Dep't of State Treasurer	18-921	Davidson
K4C6R, LLC v. Elmore	18-1008	New Hanover
Sommer v. Sommer	18-1049	Alamance
J.S. & Assocs., Inc. v. Stevenson	18-1065	Mecklenburg
Mann v. Union Cty. Clerk of Ct.	18-1116	N.C. Industrial Commission

Sent Date: 26 February 2019

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## COURT CALENDAR BY PANEL

Wednesday, 27 March 2019

PANEL NO. 3  
HONORABLE DONNA STROUD  
HONORABLE LUCY N. INMAN  
HONORABLE VALERIE J. ZACHARY

**Note: Judge John M. Tyson will sit for Judge Valerie J. Zachary - COA#18-978.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF MARCH 2019 AT 1:00 p.m.**

OSI Rest. Partners, LLC v. Oscoda Plasti...	18-841	Wake
Cooper v. Berger	18-978	Wake

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State v. Middleton	18-131	Mecklenburg
State v Smallwood	18-694	Hertford
State v. Queen	18-819	Gaston
State v. McGill	18-911	New Hanover
State v. Vines	18-961	Edgecombe
State v. Hyman	18-1015	Alamance
Loyd v. Loyd	18-641	Catawba
Sfredde v. Hicks	18-1010	Wake
Crosmun v. Trustees Of Fayetteville Tech...	18-1054	Cumberland
In re: Nicor, LLC	18-1071	Moore

Sent Date: 26 February 2019

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## COURT CALENDAR BY PANEL

Thursday, 28 March 2019

### PANEL NO. 4

HONORABLE MARK A. DAVIS  
HONORABLE PHIL BERGER, JR.  
HONORABLE HUNTER MURPHY

**Note: Judge Chris Dillon will sit for Judge Mark A. Davis - COA#18-653.**

**Note: Judge Donna Stroud will sit for Judge Hunter Murphy - COA#18-888.**

**Note: Judge Lucy N. Inman will sit for Judge Hunter Murphy - COA#18-776.**

**Note: Chief Judge Linda M. McGee will sit for Judge Hunter Murphy - COA#18-1012.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 28TH OF MARCH 2019 AT 9:30 a.m.**

In Re: Wash. Cty. Sheriff's Off.	18-653	Washington
Parkes v. Hermann	18-888	Lincoln

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 28TH OF MARCH 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. Speas	18-456	Cumberland
State v. Yourse	18-776	Guilford
State v. Barnett	18-831	Johnston
State v. Hollars	18-932	Watauga
State v. Phillip	18-1012	Durham
State v. Cathcart	18-1025	Mecklenburg
Bender v. Hornback	18-1006	Rutherford
Stewart v. Meshesha	18-1013	Mecklenburg
In re: Stephens	18-1058	Wake
In re: J.F.	18-1165	Durham

Sent Date: 26 February 2019

# North Carolina Court of Appeals

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## 3.1 Calendar

Thursday, 28 March 2019

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **28 MARCH 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: A.S.T.	18-947	Alamance
In re: W.A.B., B.F.B., A.G.B., E.H.B., R...	18-953	Gaston
In re: K.L.C.	18-1003	Robeson
In re: N.S.J., N.S.J., S.S.J., E.O.J., I...	18-1005	Yadkin
In re: T.O. & J.O.	18-1110	Wake
In re: F.M.C.	18-1168	Mecklenburg

Sent Date: 8 March 2019