

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

Tuesday, 11 May 2010

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE ANN MARIE CALABRIA
HONORABLE SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 11TH OF MAY 2010 AT 9:30 a.m.**

| | | |
|---|---------|-----------------------------------|
| Parkway Urology v NC Dept. of Health, et... | 09-1490 | N.C. Dept. of Health & Human Svcs |
| Johnson v Causey, et al | 09-1712 | New Hanover |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 11TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Moses | 09-1468 | Durham |
| State v Davis | 09-1552 | Mecklenburg |
| State v Harper | 09-1604 | Moore |
| Cooper v Cooper | 09-1220 | Chatham |
| Apple Tree, et al v Grandfather Mountain... | 09-1410 | Avery |
| Earley v Haywood County DSS and Beaman | 09-1558 | Haywood |
| Shay v Rowan Salisbury Schools | 09-1587 | N.C. Industrial Commission |
| Cherry v Thomas | 09-1608 | Guilford |
| Daniel, et al v Gullzar, et al | 09-1644 | Wake |
| Brown & Brown Enterprises v Brown | 09-1665 | Martin |

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COURT CALENDAR BY PANEL

Wednesday, 12 May 2010

PANEL NO. 3

HONORABLE LINDA M. MCGEE
HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF MAY 2010 AT 9:30 a.m.**

| | | |
|---|---------|---------------------------|
| In The Matter Of: Duke Energy Carolinas | 09-1273 | N.C. Utilities Commission |
| Cobb, et al v Town of Blowing Rock, et a... | 09-1443 | Watauga |
| Lunsford, et al v Renn, et al | 09-1592 | Granville |

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| | | |
|---|---------|----------------------------|
| State v McCoy | 09-1487 | Edgecombe |
| State v Dye | 09-1574 | Durham |
| State v Kirby | 09-1631 | Wake |
| Cummings v Ortega | 09-1491 | Harnett |
| Sheffer v Rardin | 09-1562 | Dare |
| Gayatri Maa, Inc. v Terrible T. LLC | 09-1614 | Onslow |
| Garcia v Huffbo, LLC, et al | 09-1657 | N.C. Industrial Commission |
| Foreclosure of: Gilmore | 09-1676 | Forsyth |
| In The Matter Of The Foreclosure Of: Vog... | 09-1714 | Alamance |

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COURT CALENDAR BY PANEL

Wednesday, 12 May 2010

PANEL NO. 4

HONORABLE ROBERT C. HUNTER
HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF MAY 2010 AT 1:00 p.m.**

| | | |
|---|---------|-----------|
| Lawyers Title Ins., et al v Zogreo, LLC,... | 09-1304 | Wake |
| Burgess v Hamrick, et al | 09-1690 | Cleveland |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Wolfe | 09-1546 | Onslow |
| State v Guthrie | 09-1595 | Mecklenburg |
| State v Spellman | 09-1636 | Johnston |
| David v Sossoman | 09-1453 | Macon |
| Superior Construction v Intracoastal Liv... | 09-1543 | Brunswick |
| Spruill v NC Department of Agriculture | 09-1581 | N.C. Industrial Commission |
| U.S. Bank, ex rel v Cuthbertson, et al | 09-1605 | Rowan |
| Smith Architectural Metals v American Ra... | 09-1620 | Alamance |
| Garrett v Burris | 09-1662 | Iredell |
| Bissette v Auto-Owners Insurance Company | 09-1721 | Wilson |

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COURT CALENDAR BY PANEL

Thursday, 13 May 2010

PANEL NO. 5

HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 13TH OF MAY 2010**.
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH
CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Wooten | 09-1550 | Lenoir |
| State v Brown | 09-1601 | Brunswick |
| State v Kincer | 09-1639 | Pitt |
| In The Matter Of: J.T.H. | 09-1383 | Guilford |
| Owensby, et al v Phillips, et al | 09-1469 | Rutherford |
| Speights v Forbes | 09-1554 | Durham |
| Johnston v Duke University Medical Ctr. | 09-1582 | N.C. Industrial Commission |
| Haynie v NC State Board of Examiners of ... | 09-1606 | Wake |
| Haynie, et al v NC State Board of Examin... | 09-1607 | Wake |
| Agapion v The City of Greensboro | 09-1664 | Guilford |
| One Beacon Ins. Co., et al v United Mech... | 09-1691 | Mecklenburg |
| Ellis-Walker Builders, Inc. v Don Reynol... | 10-32 | New Hanover |

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COURT CALENDAR BY PANEL

Monday, 24 May 2010

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 24TH OF MAY 2010.**
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH
CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Dark | 09-1287 | Granville |
| State v Smith | 09-1626 | Moore |
| State v Armstrong | 09-1649 | Edgecombe |
| State v Scott | 09-1668 | McDowell |
| State v Blymer | 09-1722 | Rowan |
| State v Frazier | 10-19 | Craven |
| Morales-Rodriguez v Carolina Quality | 07-1389 | N.C. Industrial Commission |
| Lee v Allstate Insurance Company | 09-1694 | Cumberland |
| Harbor Baptist Church v City of Charlott... | 10-3 | Mecklenburg |

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COURT CALENDAR BY PANEL

Tuesday, 25 May 2010

PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 25TH OF MAY 2010 AT 9:30 a.m.**

| | | |
|----------------|---------|----------|
| State v Greene | 09-1327 | Cabarrus |
|----------------|---------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 25TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---------------------------------|---------|----------------------------|
| State v Bratton | 09-1627 | Forsyth |
| State v Wiggins | 09-1650 | Martin |
| State v Rucker | 09-1686 | Cabarrus |
| State v Pierce | 10-1 | Guilford |
| State v Westrom | 10-22 | Durham |
| Frank, et al v Savage, et al | 09-1413 | Yancey |
| Mathis, et al v Daly, et al | 09-1696 | Haywood |
| Langdon v American Vinyl, et al | 10-18 | N.C. Industrial Commission |

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COURT CALENDAR BY PANEL

Wednesday, 26 May 2010

PANEL NO. 3

HONORABLE LINDA M. MCGEE
HONORABLE DONNA STROUD
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF MAY 2010 AT 9:30 a.m.**

| | | |
|---|---------|-------------|
| Kucan, et al v Advance America, et al | 09-1492 | New Hanover |
| McQuillan, et al v Check 'N Go of NC, et... | 09-1525 | New Hanover |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|-----------|
| State v Yonce | 09-1504 | Randolph |
| State v Clary | 09-1628 | Alamance |
| State v Williams | 09-1656 | Martin |
| State v Miller | 09-1702 | Forsyth |
| State v Wallace | 10-4 | Cabarrus |
| State v Boyd | 10-51 | Halifax |
| Williams v Houses of Distinction, Inc. | 10-30 | Brunswick |

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COURT CALENDAR BY PANEL

Wednesday, 26 May 2010

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE LINDA STEPHENS
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF MAY 2010 AT 1:00 p.m.**

| | | |
|---|---------|----------|
| State v Starling | 09-1703 | Robeson |
| Chase Development, et al v Fisher Clinar... | 09-1521 | Guilford |
| Draper, et al v Yelvington, et al | 10-34 | Johnston |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-------------------------|---------|-------------|
| State v McLean | 09-1602 | Lee |
| State v Smith | 09-1640 | Wake |
| State v Isaac | 09-1658 | Person |
| State v Cline | 10-7 | Gaston |
| State v Effler | 10-53 | McDowell |
| Barfield, et al v Matos | 09-1711 | Mecklenburg |

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COURT CALENDAR BY PANEL

Thursday, 27 May 2010

PANEL NO. 5

HONORABLE MARTHA A. GEER
HONORABLE BARBARA JACKSON
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 27TH OF MAY 2010.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|-------------|
| State v Capers | 09-1613 | Cleveland |
| State v Mabe | 09-1648 | Forsyth |
| State v King | 09-1659 | Buncombe |
| State v Robertson | 09-1706 | Davie |
| State v Wood | 10-16 | Randolph |
| State v Minton | 10-85 | Orange |
| Vintage Condominiums Assoc. v Richardson | 09-1678 | Union |
| Bradley v Gay | 09-1723 | Halifax |
| Bauer v Douglas Aquatics, Inc., et al | 10-47 | Mecklenburg |