

# 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, 7 June 2010

### PANEL NO. 1

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 7TH OF JUNE 2010 AT 1:00 p.m.**

State v Marler	09-1573	Haywood
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 7TH OF JUNE 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 Puckett	09-1632	Surry
State v Medina	10-71	Mecklenburg
Kintz v Amerlink, LTD., et al	09-1584	Nash
Dai Mai v Carolina Holdings, Inc.	09-1685	Mecklenburg
In The Matter Of: J.C.	10-31	Robeson
Magaro v Magaro	10-96	Pasquotank
Cardwell v Jenkins Cleaners, Inc.	10-136	N.C. Industrial Commission
McCann v Town of Sparta	10-192	Alleghany

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Court of Appeals Building  
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## 3.1 Calendar

Monday, 7 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **7 JUNE 2010** 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 The Matter Of: A.L.B., B.J.R., B.L.R....	10-109	Buncombe
In The Matter Of: A.B.E. and B.N.E.	10-127	Chatham
In The Matter Of: M.B.L. and K.R.L.	10-147	Rockingham
In The Matter Of: A.P. and A.P.	10-173	Gaston
In The Matter Of: I.M.L., A.M., C.M., P....	10-175	Rowan
In The Matters Of: A.D.T. and D.R.T., Il...	10-214	Gaston

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## Supplemental Calendar

Monday, 7 June 2010

PANEL NO. 0

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State v Aguilar	09-1288	Sampson
State v Robinson	09-1343	Sampson
State v Bouler	09-1501	Wayne
State v Williams	09-1508	Stanly
State v Whitted	09-1599	Durham
State v Bunting	09-1679	Beaufort
State v McDougald	09-1688	Robeson
State v Wells	10-164	Henderson

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## COURT CALENDAR BY PANEL

Tuesday, 8 June 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, 8TH OF JUNE 2010 AT 9:30 a.m.**

Craft Development v County of Cabarrus	09-1610	Cabarrus
Mardan IV v County of Cabarrus	09-1611	Cabarrus
Lanvale Properties, et al v County of Ca...	09-1621	Cabarrus

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF JUNE 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 White	09-1575	Cumberland
State v Jarrett	09-1635	Jackson
State v Anderson	10-133	Mecklenburg
Myers, et al v Baldwin, et al	10-97	Forsyth
Kelley v CitiFinancial Services, Inc.	10-155	Davie
Federated Financial Corporation Of Ameri...	10-282	Wake

Sent Date: 18 May 2010

# North Carolina Court of Appeals

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

## Supplemental Calendar

Tuesday, 8 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 JUNE 2010** 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 Helms	09-1165	Mecklenburg
State v Scott	09-1200	Mecklenburg
State v Hamm	09-1206	Wake
State v Schwartz	09-1227	New Hanover
State v Velasquez	09-1274	Mecklenburg
State v Collins	09-1294	Orange
State v West	09-1328	Henderson
State v Grooms	09-1388	Guilford
State v Blount	09-1391	Wayne
State v Franklin	09-1513	Nash

Sent Date: 4 May 2010

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Wednesday, 9 June 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, 9TH OF JUNE 2010 AT 1:00 p.m.**

State v Forte	09-1591	Richmond
Gardner v Tallmadge	10-125	Rockingham
Southern Seeding Service v Martin	10-180	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF JUNE 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 Fair	09-1381	Lincoln
State v Haire	10-37	Richmond
Betts v Jones, et al	09-1572	Randolph
Slawek v Slawek v Maitland	09-1682	Henderson
Phillips v NC State University	09-1720	N.C. Industrial Commission
Hodges v Moore	10-69	Forsyth

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## COURT CALENDAR BY PANEL

Wednesday, 9 June 2010

### PANEL NO. 3

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF JUNE 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 Beal	09-1318	Scotland
State v Eaton	09-1586	Rowan
State v Lockhart	09-1660	Mecklenburg
White v Stokes County DSS	09-1567	Stokes
McLeod v Wal-Mart Stores, Inc., et al	09-1645	N.C. Industrial Commission
Jessee v Jessee	09-1704	Forsyth
Perez v Clark, et al	10-49	N.C. Industrial Commission
CRLP Durham, LP, v Durham City/County Bo...	10-120	Durham
McQueen v City of Hamlet, et al	10-170	Richmond

Sent Date: 18 May 2010

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## COURT CALENDAR BY PANEL

Thursday, 10 June 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, 10TH OF JUNE 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 Bass	09-1434	Wake
State v Ross	09-1617	Lincoln
State v Hobgood	10-55	Granville
Cohen v McLawhorn	09-1578	Pitt
Brinn v Weyerhaeuser Company	09-1671	N.C. Industrial Commission
Dillahunt v First Mount Vernon Industria...	10-13	Craven
Matthews v Food Lion, LLC	10-73	Harnett
Falcon v N.C. Administrative Office Of ...	10-128	N.C. Industrial Commission
Jobe, et al v Town of Haw River	10-183	Alamance

Sent Date: 18 May 2010

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 14 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **14 JUNE 2010** 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 Smith	09-1439	Cleveland
State v Chapman	09-1480	Pitt
State v Smith	09-1549	Scotland
In The Matter Of: Z.D.A.	09-1565	Sampson
State v Brooks	09-1590	Brunswick
Ward v Buckeye Homeowners Association	09-1683	Forsyth
State v Philipscheck	09-1698	Henderson
State v Bramlett	10-24	Cleveland
State v Shehan	10-106	Randolph

Sent Date: 6 May 2010

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 21 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **21 JUNE 2010** 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.

Barnes v Barnes	09-1257	Northampton
State v Crisp	09-1262	Graham
State v O'Kelley	09-1338	Buncombe
State v Jackson	09-1346	Forsyth
State v Jenkins	09-1347	Johnston
State v Jackson	09-1424	Orange
State v Riley	09-1436	Granville
State v Burns	09-1437	Mecklenburg
State v Thompson	09-1510	Union

Sent Date: 19 May 2010

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## Supplemental Calendar

Tuesday, 22 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **22 JUNE 2010** 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 Harrell	09-1359	Carteret
State v Ford	09-1428	Hoke
State v Shoemaker	09-1440	Onslow
State v McVay	09-1474	Mecklenburg
State v Robertson	09-1483	Forsyth
State v Jones	09-1488	Mecklenburg
State v Shivers	09-1489	Pitt
State v Wood	09-1509	Nash
State v Carter	09-1547	Mecklenburg
State v Sledge	09-1594	Halifax

Sent Date: 19 May 2010

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## 3.1 Calendar

Monday, 28 June 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **28 JUNE 2010** 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 The Matter Of: B.B., C.B., N.B., N.M....	10-67	Brunswick
In Re: P.C.H.	10-148	New Hanover
In The Matter Of: T.H., J.S., B.W.	10-179	Wayne
In The Matter Of: H.L.B., H.V.B., A.W., ...	10-185	Cleveland
In The Matter Of: D.W.C. and J.A.C.	10-250	Cleveland
In The Matter Of: H.N.D.	10-291	Sampson

Sent Date: 8 June 2010