

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 2 August 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **2 AUGUST 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.G.	10-168	Durham
In The Matter Of: P.O.	10-204	Robeson
In The Matter Of: H.F.	10-259	Orange
In The Matter Of: L.R.	10-302	Pamlico
In The Matter Of: M.T.	10-395	Guilford
In The Matter Of: N.M-B.	10-441	Mecklenburg

Sent Date: 9 July 2010

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 16 August 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **16 AUGUST 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 Re: M.G.S.	10-228	Yadkin
In The Matter Of: S.R. and N.R.	10-337	Mecklenburg
In The Matter Of: D.W.	10-379	Orange
In The Matter Of: E.G.K.	10-396	Wake
In Re: S.R.H., G.E.H., I.G.H.	10-448	Union
In The Matter Of: N.A.B.	10-462	Buncombe

Sent Date: 28 July 2010

# 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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Tuesday, 17 August 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, 17TH OF AUGUST 2010 AT 9:30 a.m.**

WHD, L.P. v Lawyers Mutual Liability Ins...	09-1633	Wake
Nationwide Mutual Insurance Company v Ma...	10-17	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF AUGUST 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 Handy	09-1422	Guilford
State v Williams	09-1663	Wake
State v Hensley	09-1689	Buncombe
State v Blue	09-1717	Robeson
State v Boyd	10-25	Mecklenburg
State v Brigman	10-46	Scotland
Burroughs v Laser Recharge Of Carolinas,...	09-1624	N.C. Industrial Commission
Keaton v Keaton	09-1672	Rowan
Cary Creek Limited Partnership v Town of...	10-38	Wake
Patten v Werner	10-48	Onslow

Sent Date: 13 July 2010

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

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## COURT CALENDAR BY PANEL

Wednesday, 18 August 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, 18TH OF AUGUST 2010**  
**AT 9:30 a.m.**

Hager, et al v Check Into Cash of NC, et...	09-1553	New Hanover
Bogovich v Embassy Club of Sedgfield	10-61	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF AUGUST 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 Walker	09-1514	Forsyth
State v Boyd	09-1666	Mecklenburg
State v Martin	09-1692	Brunswick
State v Trapp	09-1719	Wake
State v Johnson	10-26	Durham
State v Carter	10-57	Guilford
Pass v Beck	09-1647	New Hanover
Nationwide Mutual Insurance Company v Ca...	09-1681	Wilkes
King, et al v Orr, et al	10-23	Pender
Evans v Hendrick Automotive Group, et al	10-39	N.C. Industrial Commission

Sent Date: 13 July 2010

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## COURT CALENDAR BY PANEL

Wednesday, 18 August 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, 18TH OF AUGUST 2010**  
**AT 1:00 p.m.**

McKoy v Beasley, et al	09-1315	Bladen
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF AUGUST 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 Williams	09-1596	Guilford
State v Gabriel	09-1669	Mecklenburg
State v Brown	09-1693	Jackson
State v Terry	10-9	Onslow
State v McClelland	10-33	Iredell
State v Hazelton	10-70	Buncombe
Santos, et al v Briones	09-1563	Wake
In The Matter Of: K.D.L.	09-1653	Wake
Sapp, et al v Yadkin County, et al	09-1725	Yadkin
Gross v Gene Bennett Co., et al	10-29	N.C. Industrial Commission
Hayes v Time Warner Cable, Inc., et al	10-44	Durham

Sent Date: 13 July 2010

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## COURT CALENDAR BY PANEL

Thursday, 19 August 2010

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE BARBARA JACKSON  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 19TH OF AUGUST 2010 AT 9:30 a.m.**

Mecklenburg County v Simply Fashion Stor...	09-1625	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 19TH OF AUGUST 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 Crowder	09-1364	Avery
State v Mock	09-1600	Iredell
State v Hughes	09-1677	Caswell
State v Hallman	09-1697	Cabarrus
State v Williams	10-11	Forsyth
State v Jones	10-43	Forsyth
Blalock v Southeastern Material, et al	09-1530	N.C. Industrial Commission
Edwards v Hill	09-1661	Cleveland
First Mount Vernon Industrial Loan Assoc...	10-8	Craven
Wilkins v Farah, et al	10-28	Guilford
First Mount Vernon Industrial Loan Assoc...	10-199	Craven

Sent Date: 13 July 2010

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 23 August 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **23 AUGUST 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 Lyons	09-1667	Pitt
State v Brown	10-15	Mecklenburg
State v Best	10-62	Sampson
State v Zuniga	10-72	Guilford
State v Sloan	10-75	Mecklenburg
State v Justice	10-92	Durham
State v Washington	10-130	Hoke
State v Harris	10-144	Mecklenburg
State v Williamson	10-334	Rockingham

Sent Date: 22 July 2010

# North Carolina Court of Appeals

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

## Supplemental Calendar

Tuesday, 24 August 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **24 AUGUST 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 Thiam	09-1506	Pitt
State v Wingate	09-1597	Buncombe
State v Hill	10-124	Rutherford
State v Hawkins	10-154	Craven
State v Robinson	10-182	Rowan
State v Parks	10-209	Cabarrus
State v Mott	10-226	Nash
State v McLeod	10-248	Moore
State v Whitney	10-254	Onslow
State v Lewis	10-280	Nash

Sent Date: 22 July 2010



# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Monday, 30 August 2010

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE DONNA STROUD  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 30TH OF AUGUST 2010 AT 1:00 p.m.**

Carolina Marina v New Hanover Cty. Bd. o...	10-77	New Hanover
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 30TH OF AUGUST 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 McCoy	10-10	Gaston
State v Vaughn	10-110	Wayne
State v Blackwell	10-132	Wake
State v May	10-140	Alamance
State v Gomez	10-151	Durham
State v Hernandez	10-178	Rockingham
Dafford v JP Steakhouse LLC, et al	10-101	Harnett
Livingston v Goodyear Rubber And Tire Co...	10-131	N.C. Industrial Commission
AgCarolina Financial v Bunting Swine Far...	10-152	Edgecombe
Otto v Certo	10-172	Madison
Goad, et al v Chase Home Finance, et al	10-227	Brunswick

Sent Date: 27 July 2010

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 30 August 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **30 AUGUST 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 Rook	10-54	Durham
State v Darden	10-63	Sampson
State v Elder	10-117	Mecklenburg
State v Cornwell	10-158	Cabarrus
State v Warmack	10-181	Mecklenburg
State v Baldwin	10-208	Hoke
State v Hammonds	10-237	Mecklenburg
State v Pegues	10-329	Davie

Sent Date: 23 July 2010

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## COURT CALENDAR BY PANEL

Tuesday, 31 August 2010

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE ROBERT C. HUNTER  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 31ST OF AUGUST 2010 AT 9:30 a.m.**

McCrann, et al v NC Department of Health...	10-80	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 31ST OF AUGUST 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 Graves	10-76	Alamance
State v Garnett	10-111	Buncombe
State v Banner	10-123	Caldwell
State v Duarte-Gomez	10-141	Guilford
State v Arnold	10-156	Wake
State v Surratt	10-184	Orange
Crumpler, et al v Avenir Development, et...	10-103	New Hanover
Gregory v Pike Electric Corporation	10-138	N.C. Industrial Commission
Basile v Chris's Open Hearth Steak House...	10-160	N.C. Industrial Commission
Kingston v Lyon Construction, et al	10-193	Rockingham
Sherrick v Sherrick	10-230	Lee

Sent Date: 27 July 2010