

# 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, 11 January 2010

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE ROBERT C. HUNTER  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 11TH OF JANUARY 2010 AT 1:00 p.m.**

State v Mohamed	09-943	Guilford
Four Seasons v Town of Wrightsville	09-777	New Hanover
Hope-A Women's Cancer Ctr. v State, et a...	09-844	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 11TH OF JANUARY 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 Pinkerton	09-654	Johnston
State v West	09-851	Buncombe
State v Parker	09-907	Sampson
State v Breathette	09-1007	Forsyth
State v Haymond	09-1030	Wilkes
Dembinski v Stage Rigging Services, Inc.	09-895	Guilford

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## COURT CALENDAR BY PANEL

Tuesday, 12 January 2010

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE BARBARA JACKSON  
HONORABLE ROBERT N. HUNTER, JR.

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

Harco National Ins. Co. v Grant Thornton	09-906	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 12TH OF JANUARY 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 Kizer	09-725	Wake
State v Holcombe and Holcombe	09-860	Haywood
State v Johnson	09-908	Forsyth
State v Hernandez	09-947	Alleghany
State v Tellez	09-1010	Forsyth
State v McCormick	09-1032	Watauga
Means v Scott Electric Co. Inc.	09-779	New Hanover
Woltz, et al v Taylor, et al	09-847	Haywood

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## COURT CALENDAR BY PANEL

Wednesday, 13 January 2010

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON WEDNESDAY, 13TH OF JANUARY 2010  
AT 9:30 a.m.

Wright, et al v Gaston County, et al	09-792	Gaston
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State v Evans	09-369	Robeson
State v Choudhry	09-773	Durham
State v Hightower	09-865	Caswell
State v Dawson	09-910	Lenoir
State v Parks	09-953	Cleveland
State v Capps	09-1011	Rockingham
MJM Investigations v Sjostedt	09-596	Wake
Bennett v Equity Residential	09-878	Wake

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## COURT CALENDAR BY PANEL

Wednesday, 13 January 2010

### PANEL NO. 4

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF JANUARY 2010**  
**AT 1:00 p.m.**

State v Paddock	09-538	Johnston
Strategic Outsourcing v AG Warehouse	09-668	Mecklenburg
Total Renal Care v NC Dept. of Health	09-879	N.C. Dept. of Health & Human Svcs

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 13TH OF JANUARY 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 Wilson	09-815	Moore
State v Ali	09-867	Wake
State v Taylor	09-915	Forsyth
State v Brunson	09-976	New Hanover
State v Ross	09-1021	Forsyth
Raymond v NC Police Benevolent Assoc.	09-797	Buncombe

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## COURT CALENDAR BY PANEL

Thursday, 14 January 2010

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE MARTHA A. GEER  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 14TH OF JANUARY 2010 AT 9:30 a.m.**

State, ex rel v Dare County, et al	09-701	N.C. Dept. of Insurance
Springs v City of Charlotte	09-839	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 14TH OF JANUARY 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 Gladden	09-626	Cabarrus
State v Grady	09-823	New Hanover
State v Pait	09-870	Robeson
State v Messick	09-940	Forsyth
State v Wilkins	09-1006	Alexander
State v Rawls	09-1029	Guilford
Crosland Ardrey Woods v Beazer Homes	09-880	Mecklenburg

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## Supplemental Calendar

Monday, 18 January 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **18 JANUARY 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 Thomas	09-826	Cumberland
State v James	09-730	Guilford
State v Nesmith	09-849	Nash
State v Troutman	09-667	Moore
State v Hammonds	09-604	Robeson
State v Yarborough	09-651	Alamance
State v Anderson	09-614	Iredell
State v Reel	09-736	Wake
State v McCollie	09-658	Mecklenburg

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## COURT CALENDAR BY PANEL

Monday, 25 January 2010

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE ROBERT C. HUNTER  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 25TH OF JANUARY 2010 AT 1:00 p.m.**

Scott v City of Charlotte	09-893	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 25TH OF JANUARY 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 Greene	09-829	Buncombe
State v Smith	09-964	Onslow
State v Ferguson	09-1048	Guilford
Babbert v Sanders Ford	09-831	N.C. Industrial Commission
Crook v KRC Management Corp., et al	09-936	Wake
Allen, ex rel v County of Granville, et ...	09-957	Granville
Goetz, et al v N.C. Dept. of Health	09-985	N.C. Industrial Commission
Woodridge Homes v Gregory	09-1024	Gaston

Sent Date: 6 January 2010

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## COURT CALENDAR BY PANEL

Tuesday, 26 January 2010

### PANEL NO. 2

HONORABLE JAMES A. WYNN, JR.  
HONORABLE BARBARA JACKSON  
HONORABLE ROBERT N. HUNTER, JR.

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

In The Matter Of The Will Of: Aiken	09-913	Mecklenburg
Wallace Farm, Inc. v City of Charlotte	09-939	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 26TH OF JANUARY 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 Aghaei	09-840	Pitt
State v Johnson	09-966	Mecklenburg
State v Halley	09-1051	Cabarrus
J.T. Enterprise v Countrywide Home Loans	09-843	Durham
Jarrett v Sain	09-965	Catawba
In The Matter Of: A.B.	09-995	Guilford
State v Blue Ridge Tank Company, Inc.	09-1025	Wake

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## COURT CALENDAR BY PANEL

Wednesday, 27 January 2010

### PANEL NO. 3

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF JANUARY 2010**  
**AT 9:30 a.m.**

The NC State Bar v Hunter	09-1014	Disciplinary Hearing Commission
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State v LePage	09-842	Macon
State v Mobley	09-975	Mecklenburg
State v Williams	09-1052	Lenoir
Security Credit Corp. v Barefoot, et al	09-877	Johnston
Sawyer v Market America, Inc.	09-922	Guilford
Griffith v Curtis	09-942	Buncombe
Cloninger v NC Dept. of Health	09-970	Gaston
Rice, et al v Coholan, et al	09-1034	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 27 January 2010

### PANEL NO. 4

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF JANUARY 2010**  
**AT 1:00 p.m.**

Bohannon v McManaway	09-887	Orange
Muter v Muter	09-974	Johnston
Mitchell, Brewer, Richardson v Brewer	09-1020	Cumberland

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 27TH OF JANUARY 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 Jackson	09-692	Mecklenburg
State v Stikeleather	09-848	Alexander
State v Mauck	09-1042	Buncombe
Brodie v Excel Staffing Services	09-754	N.C. Industrial Commission
McManaway v LDS Family Services, et al	09-889	Orange
Stovall v Stovall	09-946	Stokes

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## COURT CALENDAR BY PANEL

Thursday, 28 January 2010

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE MARTHA A. GEER  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 28TH OF JANUARY 2010 AT 9:30 a.m.**

Langwell v Albemarle Family Practice, et...	09-891	Camden
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 28TH OF JANUARY 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 Freeman	09-794	Martin
State v Guarascio	09-883	New Hanover
State v Phillips	09-1044	Rutherford
The NC State Bar v Erickson	09-765	N.C. State Bar
Pay Tel Communications v Caldwell County	09-935	Wake
Lovendahl v Wicker	09-954	Guilford
Price v Piggy Palace	09-981	N.C. Industrial Commission
Walker v Department of State Treasurer	09-1023	Rockingham

Sent Date: 6 January 2010