

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, 8 March 2010

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE JAMES A. WYNN, JR.
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 8TH OF MARCH 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 Hall | 09-1097 | Brunswick |
| State v Wilson | 09-1162 | Gaston |
| State v Pettigrew | 09-1226 | Forsyth |
| State v Armstrong | 09-1276 | Mecklenburg |
| State v Brown | 09-1293 | Rowan |
| State v Brennan | 09-1362 | Swain |
| Darden v Darden | 09-994 | Guilford |
| Daily Express, Inc. v NC Dept. of Crime | 09-1174 | Wake |
| Earthmovers Equip. v NC Dept. of Crime | 09-1175 | Wake |
| Keen Transport, Inc. v NC Dept. of Crime | 09-1176 | Wake |
| Valley Transportation v NC Dept. of Crim... | 09-1177 | Wake |
| West Side Heavy v NC Dept. of Crime | 09-1178 | Wake |

Sent Date: 15 February 2010

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 8 March 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 MARCH 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: J.M. | 09-1285 | Johnston |
| In The Matter Of: A.M.M. | 09-1321 | Dare |
| In The Matter Of: B.L.H. and Z.L.H. | 09-1355 | Buncombe |
| In The Matter Of: A.N.G, et al | 09-1365 | Randolph |
| In The Matter Of: D.J.J.H. | 09-1366 | Lincoln |
| In The Matter Of: B.E. and B.E. | 09-1532 | Chatham |

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COURT CALENDAR BY PANEL

Tuesday, 9 March 2010

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE MARTHA A. GEER
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF MARCH 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 Windsor | 09-713 | Catawba |
| State v Wiley | 09-1122 | Orange |
| State v Pittman | 09-1190 | Pitt |
| State v McGriff | 09-1256 | Mecklenburg |
| State v Bortone | 09-1286 | Brunswick |
| State v Denton | 09-1322 | Mecklenburg |
| Helms v Landry | 09-904 | Mecklenburg |
| Lucas v Lucas | 09-1004 | New Hanover |
| Gonzales v Gonzales | 09-1109 | Rowan |
| Cantrell v Diebold, Inc. | 09-1245 | N.C. Industrial Commission |
| In The Matter Of: J.D.R. | 09-1340 | Buncombe |
| In The Matter Of: J.T.S. | 09-1398 | Buncombe |

Sent Date: 15 February 2010

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COURT CALENDAR BY PANEL

Wednesday, 10 March 2010

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF MARCH 2010 AT 9:30 a.m.**

| | | |
|-------------------------------------|--------|------|
| Harco National v Grant Thornton LLP | 09-996 | Wake |
|-------------------------------------|--------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF MARCH 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 Delgado | 09-973 | New Hanover |
| State v McFadden | 09-1145 | Nash |
| State v Rodriguez | 09-1194 | Cumberland |
| State v Moore | 09-1235 | Caldwell |
| State v Norton | 09-1289 | Catawba |
| State v Thompson | 09-1326 | Davidson |
| Sander v Sander | 09-912 | Henderson |
| Peters, et al v Norwalk Furniture, et al | 09-1135 | Burke |
| Duruanyim v Duruanyim | 09-1260 | Mecklenburg |
| Long v City of Charlotte | 09-1344 | N.C. Industrial Commission |
| Graphic Packaging v Gilbertson | 09-1372 | Guilford |

Sent Date: 15 February 2010

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COURT CALENDAR BY PANEL

Wednesday, 10 March 2010

PANEL NO. 4

HONORABLE WANDA G. BRYANT
HONORABLE SANFORD STEELMAN
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF MARCH 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 Toledo | 09-1063 | Johnston |
| State v Ratliff | 09-1147 | Rutherford |
| State v Wynn | 09-1208 | Union |
| State v Dupree | 09-1261 | Edgecombe |
| State v Rivers | 09-1290 | Cabarrus |
| State v O'Shields | 09-1342 | Forsyth |
| Washington v Mahbuba | 09-968 | Forsyth |
| Heller v Somdahl | 09-1016 | Onslow |
| Martin v Martin | 09-1215 | Wilson |
| NC Farm Bureau Mutual v Sutton | 09-1298 | Durham |
| Jackson v Penton | 09-1351 | Moore |
| In Re: Mobley | 09-1374 | Hertford |

Sent Date: 15 February 2010

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COURT CALENDAR BY PANEL

Thursday, 11 March 2010

PANEL NO. 5

HONORABLE RICK ELMORE
HONORABLE BARBARA JACKSON
HONORABLE DONNA STROUD

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

| | | |
|----------------------------|---------|-------------|
| State v Kerrin | 09-1153 | New Hanover |
| Marsh v Union County Board | 09-1353 | Union |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF MARCH 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 Shaw | 09-1096 | Johnston |
| State v Jacobs | 09-1225 | Sampson |
| State v Daniel | 09-1264 | Mecklenburg |
| State v Covington | 09-1291 | Wake |
| State v Van Pelt | 09-1361 | Durham |
| Stevenson v N.C. Department of Correctio... | 09-991 | N.C. Industrial Commission |
| Strickland v Strickland, et al | 09-1103 | Wilson |
| Moore v Sleepy Creek Farms, et al | 09-1243 | N.C. Industrial Commission |
| Harris v Barefoot, et al | 09-1313 | Cumberland |
| Haynie v Cobb, et al | 09-1384 | Forsyth |

Sent Date: 15 February 2010

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

Supplemental Calendar

Monday, 15 March 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **15 MARCH 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 Massenburg | 09-719 | Wake |
| State v Chambers | 09-733 | Wake |
| State v Anderson | 09-911 | Pitt |
| State v Person | 09-989 | Wake |
| State v Brown | 09-997 | Cabarrus |
| State v Batts | 09-1012 | Duplin |
| State v Brooks | 09-1035 | Stanly |
| State v Crooms | 09-1053 | Carteret |
| State v Royster | 09-1111 | Mecklenburg |

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 22 March 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **22 MARCH 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: M.T.T. | 09-1148 | Richmond |
| Norris v Norris v Midkiff | 09-1329 | Randolph |
| In The Matter Of: T.B., I.P., C.P. | 09-1401 | Chatham |
| In The Matter Of: B.C.M. | 09-1470 | Iredell |
| In The Matter Of: K.P., M.P., T.P. | 09-1473 | Warren |
| In The Matter Of: T.D.W. | 09-1519 | Randolph |

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COURT CALENDAR BY PANEL

Tuesday, 23 March 2010

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE MARTHA A. GEER
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF MARCH 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 Capote and Cruz | 09-1204 | Hoke |
| State v Carpenter | 09-1310 | Lincoln |
| State v Davis | 09-1348 | Wayne |
| State v Mabry | 09-1390 | Stanly |
| State v Harris | 09-1417 | Mecklenburg |
| State v Webb | 09-1433 | Sampson |
| Caskey v Caskey | 09-1191 | Union |
| Triad Women's Center, P.A. v Rogers | 09-1272 | Guilford |
| Faulkerson v Allen | 09-1331 | Union |
| Thames v NC Department of Correction | 09-1376 | N.C. Industrial Commission |
| Accelerated Framing v Eagle Ridge Builde... | 09-1399 | Watauga |
| Weyant v Johnston County Bd. of Educ. | 09-1408 | Johnston |

Sent Date: 25 February 2010

North Carolina Court of Appeals

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

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COURT CALENDAR BY PANEL

Wednesday, 24 March 2010

PANEL NO. 3

HONORABLE LINDA STEPHENS
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF MARCH 2010 AT 2:30 p.m.**

| | | |
|---|---------|----------|
| Thermal Design, Inc. v M&M Builders, Inc... | 09-1409 | Guilford |
| Bodine, et al v Harris Village Property | 09-1458 | Iredell |

NOTE: Oral argument will be held at the following location:

**Old Guilford County Courthouse
Second Floor
301 W. Market Street
Greensboro, N. C. 27401**

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 24 March 2010

PANEL NO. 4

HONORABLE WANDA G. BRYANT
HONORABLE SANFORD STEELMAN
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF MARCH 2010 AT 1:00 p.m.**

| | | |
|-----------------------------|---------|---------|
| Hawkins v Britesmilz Family | 09-1358 | Halifax |
|-----------------------------|---------|---------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF MARCH 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 Granger | 09-1166 | Gaston |
| State v Nunez | 09-1236 | Pitt |
| State v Bombo | 09-1339 | Mecklenburg |
| State v Bowlin | 09-1379 | Wilkes |
| State v Livengood | 09-1414 | Rowan |
| State v Griffin | 09-1419 | Wake |
| Shippen v Shippen | 09-1181 | Alexander |
| Mull v Mull | 09-1233 | Buncombe |
| Leiber v Arboretum Joint Venture, et al | 09-1284 | Mecklenburg |
| Rain Tree v Bradford | 09-1385 | Transylvania |
| Ward v Jett Properties, LLC | 09-1405 | Forsyth |

Sent Date: 25 February 2010

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 24 March 2010

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF MARCH 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 Rice | 09-1099 | Mecklenburg |
| State v Jackson | 09-1231 | Guilford |
| State v Compton | 09-1336 | Gaston |
| State v Taylor | 09-1360 | Polk |
| State v Gomez | 09-1392 | Watauga |
| State v McLaughlin | 09-1418 | Moore |
| Clark v Sutton | 09-1118 | Randolph |
| Munns v Precision Franchising, Inc. | 09-1202 | N.C. Industrial Commission |
| In The Matter Of: L.I. | 09-1306 | Durham |
| Haas v NC Dept. of Crime Control | 09-1367 | Wake |

Sent Date: 25 February 2010

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COURT CALENDAR BY PANEL

Thursday, 25 March 2010

PANEL NO. 5

HONORABLE RICK ELMORE
HONORABLE BARBARA JACKSON
HONORABLE DONNA STROUD

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

| | | |
|----------------|---------|-------------|
| State v Oakes | 09-1280 | Hertford |
| State v Reavis | 09-1425 | New Hanover |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF MARCH 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 Matos | 09-1196 | Wake |
| State v Bettis | 09-1345 | Wake |
| State v Mackey | 09-1382 | Mecklenburg |
| State v Marshall | 09-1416 | Mecklenburg |
| In Re: Foreclosure of Cantey | 09-1187 | Wake |
| Guzman v Gore | 09-1241 | Stokes |
| Draughon v City of Clinton | 09-1330 | N.C. Industrial Commission |
| Hunt v Talecris Biotherapeutics, Inc. | 09-1368 | Wayne |
| Lockett v Sister-2-Sister Solutions, Inc... | 09-1387 | Chatham |
| Hunter v Citibank Cards | 09-1407 | N.C. Industrial Commission |

Sent Date: 25 February 2010

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 29 March 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **29 MARCH 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: Lo.H. and La.J. | 09-1442 | Durham |
| In The Matter Of: S.L. and S.L. | 09-1445 | Cumberland |
| In Re: L.K.M. and L.R.M. | 09-1531 | Lenoir |
| In The Matter Of: W.V. | 09-1568 | Buncombe |
| In The Matter Of: S.T.F. | 09-1569 | Wake |
| In The Matter Of: Z.H. | 09-1570 | Currituck |

Sent Date: 4 March 2010