

# 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

Wednesday, 1 December 2010

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE MARTHA A. GEER  
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF DECEMBER 2010**  
**AT 9:30 a.m.**

Apac-Atlantic, Inc. v City of Salisbury,...	10-591	Rowan
Joyner v NC Dept. of Health and Human Se...	10-670	Nash

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF DECEMBER 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 Howell	10-476	Forsyth
State v Carter	10-648	Randolph
State v Harper	10-686	Halifax
Rajpal v Livingstone College, Inc.	10-529	Rowan
Busque v Mid-America Apartment Communiti...	10-540	N.C. Industrial Commission
Consoli, et al v Global Supply And Logis...	10-570	Mecklenburg
Thompson v STS Holdings, Inc., et al	10-581	N.C. Industrial Commission
Blackburn v Carbone, et al	10-602	Wilkes
Nikopoulos v Haigler	10-616	Stanly
Quesinberry v Quesinberry	10-639	Surry

Sent Date: 21 October 2010

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## COURT CALENDAR BY PANEL

Wednesday, 1 December 2010

### PANEL NO. 3

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF DECEMBER 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 Schaeffer	10-545	Buncombe
State v Bordeaux	10-712	Edgecombe
State v Morgan	10-727	Gaston
State v Massey	10-743	Mecklenburg
State v Chlopek	10-766	Wake
State v Benoy	10-813	Cleveland
Stinchcomb v Presbyterian Medical Care C...	10-478	Mecklenburg
Engell, et al v Bayside Realty, Inc., et...	10-698	Dare
Davis v State Farm Mutual Automobile Ins...	10-711	Haywood
Tucker v Fayetteville State University, ...	10-726	Cumberland
Brody v State Board of Elections, et al	10-749	Mecklenburg
Stinchcomb v Presbyterian Medical Care, ...	10-843	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 1 December 2010

### PANEL NO. 4

HONORABLE ROBERT C. HUNTER  
HONORABLE RICK ELMORE  
HONORABLE BARBARA JACKSON

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State v Uzzelle	10-600	Durham
State v Embler	10-717	Buncombe
State v Parker	10-731	Rockingham
State v Starr	10-752	New Hanover
State v Scott	10-780	Robeson
State v Sanders	10-801	Wake
Davis v Rudisill, et al	10-687	Catawba
Vitela, et al v Richardson	10-693	Wake
In The Matter Of Foreclosure: Johnson	10-703	Mecklenburg
Mundaca Financial Services, LLC v Casell...	10-714	Haywood
Cheek v Cheek	10-736	Yadkin
Sanchez v Town of Beaufort, et al	10-750	Carteret

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## COURT CALENDAR BY PANEL

Monday, 13 December 2010

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE LINDA M. MCGEE  
HONORABLE SAM J. ERVIN, IV

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

Henry James Bar-Be-Que, Inc. v Gilmore	10-729	Guilford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 13TH OF DECEMBER 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 Folk	10-769	Richmond
State v Alexander	10-836	Alamance
State v Stepp	10-867	Buncombe
In The Matter Of The Estate Of: Slick	10-774	Forsyth
Puckett v Norandal USA, Inc., et al	10-805	N.C. Industrial Commission
Diaz v Diaz	10-851	Forsyth
Matos v The Hamel Law Firm, P.A., et al	10-864	Mecklenburg
Moorefield v Moorefield	10-886	Guilford
The Charlotte-Mecklenburg Hospital Autho...	10-897	Mecklenburg
Price v Price	10-924	New Hanover
Housing Authority Of The City Wilmington...	10-950	New Hanover

Sent Date: 18 November 2010

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## COURT CALENDAR BY PANEL

Tuesday, 14 December 2010

### PANEL NO. 2

HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD  
HONORABLE CHERI BEASLEY

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

Gaines And Company, Inc. v Wendell Falls...	10-760	Wake
Fisher, et al v Communication Workers Of...	10-927	Gaston

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 14TH OF DECEMBER 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 Ballard	10-789	Brunswick
State v Phillipott	10-838	Edgecombe
State v Soots	10-870	Forsyth
Zairy v VKO, Inc., et al	10-777	Guilford
Lockard v Chapel Hill Rehabilitation Cen...	10-811	N.C. Industrial Commission
Mauro v Mooney, et al	10-856	Henderson
Steiner v Windrow Estates Home Owners As...	10-865	Mecklenburg
Treadway v Diez, et al	10-887	Buncombe
Ballard v Ballard	10-899	Forsyth
Joines v Joines	10-951	Alleghany

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## COURT CALENDAR BY PANEL

Wednesday, 15 December 2010

### PANEL NO. 3

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF DECEMBER 2010 AT 9:30 a.m.**

K2 Asia Ventures, et al v Trota, et al      10-779      Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF DECEMBER 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 Wright	10-794	Durham
State v Ziglar	10-839	Rockingham
State v Williamson	10-883	Yancey
Espinosa Construction, LLC v Gibbs	10-759	Madison
Everhart v Norandal USA, Inc., et al	10-812	N.C. Industrial Commission
Button v McKnight, et al	10-858	Wake
Ammons v Goodyear Tire, et al	10-879	N.C. Industrial Commission
Fisk v Murphy, et al	10-892	Buncombe
Rios v Reid, et al	10-910	N.C. Industrial Commission
Stoneworx, Inc. v Robbins, et al	10-928	Nash
Strickland v Collias	10-958	Mecklenburg

Sent Date: 18 November 2010

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## COURT CALENDAR BY PANEL

Wednesday, 15 December 2010

### PANEL NO. 4

HONORABLE ROBERT C. HUNTER  
HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF DECEMBER 2010 AT 1:00 p.m.**

Beck, et al v City of Raleigh	10-893	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF DECEMBER 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 Roberts	10-741	Brunswick
State v Ward	10-808	Gaston
State v Slaughter	10-844	Lincoln
Watson Electrical Const. v FallCreek Con...	10-423	Durham
Cathey v Cathey	10-762	Cumberland
Colvin v Wake County, et al	10-792	N.C. Industrial Commission
Ward v Kantar Operations	10-828	Forsyth
Christmas v Greyhound Lines, Inc., et al	10-859	Wake
Trachtman Law Firm, PLLC v Csapo	10-881	Wake
Kee v Caromont Health, Inc., et al	10-913	N.C. Industrial Commission
Rivarola v Cumberland County	10-929	N.C. Industrial Commission

Sent Date: 18 November 2010

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## Supplemental Calendar

Monday, 20 December 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 DECEMBER 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 Hobbs	10-413	Lenoir
State v Jones	10-420	Guilford
State v Smith	10-517	Orange
State v Watlington	10-531	Guilford
State v Alston	10-598	Guilford
State v King	10-617	Randolph
Arrow Financial Services, LLC v Nickels	10-625	Guilford
State v Edwards	10-644	Lenoir
State v Butler	10-664	Johnston
State v Wall	10-761	Richmond
State v Huynh	10-520	Wake
State v Little	10-573	Durham
State v Harper	10-578	Edgecombe
State v Gay	10-635	Alamance
State v Byrd	10-637	Harnett
Rumple v DeLellis	10-659	Cabarrus
State v Anthony	10-744	Forsyth
State v Rhodes	10-784	Rockingham

Sent Date: 23 November 2010



# North Carolina Court of Appeals

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

## 3.1 Calendar

Tuesday, 21 December 2010

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **21 DECEMBER 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: S.M.	10-847	Cumberland
In The Matter Of: I.S.	10-902	Beaufort
In The Matter Of: M.A.W.	10-946	Guilford
In The Matter Of: F.H. and T.W.	10-970	Beaufort
In The Matter Of: C.D.	10-987	Catawba
In Re: V.M.F. and T.A.G.	10-1028	Transylvania