

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 7 February 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **7 FEBRUARY 2011** 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 Daniels | 10-408 | Wake |
| State v Fisher | 10-579 | McDowell |
| State v Medlin | 10-629 | Wake |
| State v Hairston | 10-655 | Person |
| State v Smith | 10-708 | Nash |
| State v Poston | 10-730 | Cleveland |
| State v Jacobs | 10-797 | Mecklenburg |
| State v Davis | 10-822 | Mecklenburg |
| State v Smith | 10-889 | Pender |
| State v Simpson | 10-915 | Guilford |

Sent Date: 5 January 2011

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

Tuesday, 8 February 2011

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE WANDA G. BRYANT
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 8TH OF FEBRUARY 2011 AT 9:30 a.m.**

| | | |
|---|--------|----------|
| State v Castillo | 10-814 | Orange |
| Harston v Tippett | 10-840 | Wake |
| Liebes, et al v Guilford County Departme... | 10-979 | Guilford |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF FEBRUARY 2011.** 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 | 10-998 | Buncombe |
| State v Southern | 10-1025 | Rockingham |
| Runnels v Robinson | 10-923 | Polk |
| Bost Construction Company v Blondy | 10-1014 | Chatham |
| Garland Gourmet Mushrooms v Black Diamon... | 10-1041 | Orange |
| Singletery v P and A Investments, Inc., ... | 10-1089 | Anson |
| Derian v Derian | 10-1106 | Orange |
| Russ v Russ | 10-1141 | Cumberland |
| Stevenson v N.C. Department of Correctio... | 10-1168 | N.C. Industrial Commission |

Sent Date: 12 January 2011

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, 9 February 2011

PANEL NO. 3

HONORABLE ANN MARIE CALABRIA
HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF FEBRUARY 2011**
AT 9:30 a.m.

| | | |
|--------------------------|---------|-------------|
| Ehrenhaus v Baker, et al | 10-1034 | Mecklenburg |
|--------------------------|---------|-------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Davis | 10-898 | Cleveland |
| State v Bynem | 10-999 | Johnston |
| State v Khouri | 10-1030 | Avery |
| Dorwani v Dorwani | 10-849 | Pasquotank |
| Stephens v Stephens | 10-943 | Harnett |
| Baker v Chizek Transport, Inc. | 10-985 | N.C. Industrial Commission |
| Vickers v Street | 10-1016 | Rutherford |
| Barfield, et al v Matos | 10-1090 | Mecklenburg |
| In The Matter Of: J.R.V. | 10-1116 | Rockingham |
| Thompson v Carolina Cabinet Company, et ... | 10-1142 | N.C. Industrial Commission |
| Norman v Food Lion, et al | 10-1175 | N.C. Industrial Commission |

Sent Date: 12 January 2011

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 9 February 2011

PANEL NO. 4

HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF FEBRUARY 2011**
AT 1:00 p.m.

| | | |
|---|---------|-------------|
| The Travelers Indemnity Company v Triple... | 10-862 | Forsyth |
| Sugar Creek Charter School, Inc., et al ... | 10-965 | Mecklenburg |
| Thomas Jefferson Classical Academy, et a... | 10-1121 | Rutherford |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------|
| State v Adams and Sowell | 10-906 | Rowan |
| State v Singleton and Fuller | 10-1010 | Forsyth |
| State v Johnson | 10-1031 | Guilford |
| Church v Decker | 10-993 | Caldwell |
| Wang v UNC-CH School of Medicine, et al | 10-1021 | Orange |
| State Farm v Bustos-Ramirez, et al | 10-1087 | Forsyth |
| Lewis v Stanley | 10-1092 | Johnston |
| Watson, et al v Brinkley, et al | 10-1145 | Halifax |
| Wynter v County of Wake | 10-1176 | Wake |

Sent Date: 12 January 2011

North Carolina Court of Appeals

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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Thursday, 10 February 2011

PANEL NO. 5

HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 10TH OF FEBRUARY 2011**
AT 9:30 a.m.

| | | |
|---|---------|----------|
| L And S Water Power, et al v Piedmont Tr... | 10-1063 | Guilford |
|---|---------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Cherry | 10-988 | Mecklenburg |
| State v Boozer and Covington | 10-1018 | Wake |
| State v Czyzewski | 10-1035 | Greene |
| Polston v Ingles Markets | 10-878 | N.C. Industrial Commission |
| Bell v Hype Manufacturing, LLC, et al | 10-952 | N.C. Industrial Commission |
| In The Matter Of: Hall | 10-1002 | Dare |
| Powe v Centerpoint Human Services, et al | 10-1022 | N.C. Industrial Commission |
| Morgan v John Wieland Homes, Inc. | 10-1095 | N.C. Industrial Commission |
| Crump v NC Dept. of Environment And Natu... | 10-1138 | N.C. Industrial Commission |
| Ewendt v Carter, et al | 10-1149 | Burke |
| Hutson v Thalacker | 10-1177 | Union |

Sent Date: 12 January 2011

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 14 February 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **14 FEBRUARY 2011** 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.D. | 10-1001 | Greene |
| In The Matter Of: J.M.D.W. | 10-1005 | Guilford |
| In The Matter Of: J.P. | 10-1039 | Watauga |
| In The Matter Of: C.C.S. | 10-1040 | Vance |
| In The Matter Of: C.G.P. | 10-1052 | Surry |
| In The Matter Of: I.C. | 10-1057 | Mecklenburg |

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

Monday, 21 February 2011

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE LINDA M. MCGEE
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 21ST OF FEBRUARY 2011.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Coffield | 10-956 | Pitt |
| State v Sellers | 10-1012 | Wayne |
| State v McCain | 10-1047 | Guilford |
| State v Deaton | 10-1079 | Cleveland |
| State v Norman | 10-1108 | Wilkes |
| State v Woodard | 10-1172 | Avery |
| Allison v Wal-Mart Stores, et al | 10-1023 | N.C. Industrial Commission |
| Wayne Street Mobile Home Park, LLC v Nor... | 10-1111 | Brunswick |
| Griffith v NC Dept. of Correction, et al | 10-1157 | Anson |
| Shalom House Apartments v Safaro | 10-1187 | Beaufort |
| Williams, et al v Biesecker, et al | 10-1206 | Transylvania |
| Wellikoff v Progress Development Corp., ... | 10-1232 | Henderson |
| In The Matter Of: C.J.M. | 10-1183 | Sampson |

Sent Date: 25 January 2011

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 21 February 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON 21 FEBRUARY 2011 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 Ford | 10-318 | Mecklenburg |
| State v Stanley | 10-554 | Lenoir |
| State v Harris | 10-555 | Pitt |
| Lewis v New Hanover County Schools, et a... | 10-721 | N.C. Industrial Commission |
| State v Griffin | 10-796 | Buncombe |
| State v Lasane | 10-809 | Mecklenburg |
| State v Holmes | 10-830 | Wake |
| State v Weathers | 10-890 | Gaston |
| State v Byers | 10-904 | Forsyth |

Sent Date: 19 January 2011

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

Tuesday, 22 February 2011

PANEL NO. 2

HONORABLE ROBERT C. HUNTER
HONORABLE LINDA STEPHENS
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 22ND OF FEBRUARY 2011 AT 9:30 a.m.**

| | | |
|---|---------|-------------|
| Wachovia Bank National, et al v Superior... | 10-1158 | Mecklenburg |
| Murdock, et al v Thomas, et al | 10-1209 | Iredell |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 22ND OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Hartley | 10-964 | Sampson |
| State v Joe | 10-1037 | Forsyth |
| State v Beckelheimer | 10-1055 | Chatham |
| State v Foust | 10-1083 | Alamance |
| State v Shropshire | 10-1113 | Mecklenburg |
| State v Ramey | 10-1197 | Forsyth |
| Carney v Greenville TV & Appliance, Inc.... | 10-1088 | N.C. Industrial Commission |
| Watson v Price, et al | 10-1112 | Durham |
| Ritchie v Ritchie | 10-1189 | Stanly |
| Walls v City of Winston-Salem | 10-1248 | Forsyth |

Sent Date: 25 January 2011

North Carolina Court of Appeals

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

3.1 Calendar

Tuesday, 22 February 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **22 FEBRUARY 2011** 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.B. | 10-1127 | New Hanover |
| In Re: L.D. | 10-1193 | Harnett |
| In The Matter Of: P.A.N.Y. | 10-1269 | Haywood |
| In The Matter Of: D.M. | 10-1280 | Orange |
| In The Matter Of: T.T. and L.C-T. | 10-1300 | Mecklenburg |
| In The Matter Of: A.C.N.B. | 10-1397 | Iredell |

Sent Date: 2 February 2011

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, 23 February 2011

PANEL NO. 4

HONORABLE ANN MARIE CALABRIA
HONORABLE SANFORD STEELMAN
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF FEBRUARY 2011**
AT 1:00 p.m.

| | | |
|---|---------|----------|
| RS&M Appraisal Services, Inc. v Alamance... | 10-1194 | Alamance |
|---|---------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Maynor | 10-945 | Buncombe |
| State v Barnhill | 10-1000 | New Hanover |
| State v Padgett | 10-1045 | Forsyth |
| State v House | 10-1071 | Brunswick |
| State v Chambers | 10-1101 | Rowan |
| State v Russell | 10-1140 | Wayne |
| Jim Lorenz, Inc. v O'Haire | 10-984 | Jackson |
| Waddell v Goodyear Tire And Rubber Co., ... | 10-1102 | N.C. Industrial Commission |
| Stepp v Awakening Heart, P.A., et al | 10-1118 | Henderson |
| Stevenson v N.C. Department of Correctio... | 10-1169 | N.C. Industrial Commission |
| STB Of Charlotte, Inc. v The Zoning Boar... | 10-1220 | Mecklenburg |

Sent Date: 25 January 2011

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, 23 February 2011

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Payton | 10-804 | Mecklenburg |
| State v Barrow | 10-978 | Cleveland |
| State v Flaughner | 10-1044 | New Hanover |
| State v Sealy | 10-1060 | Moore |
| State v Floyd | 10-1098 | Buncombe |
| State v Williams | 10-1133 | Johnston |
| In The Matter Of: K.L.D. | 10-679 | Sampson |
| Phelps v Stabilus, et al | 10-1097 | N.C. Industrial Commission |
| Melvin v Wachovia Bank, N.A. | 10-1115 | Macon |
| Barton v Barton | 10-1160 | Wake |
| Board of Directors Of Queens Towers, et ... | 10-1190 | Mecklenburg |
| Elliott v Enka-Candler Fire And Rescue D... | 10-1219 | Buncombe |

Sent Date: 25 January 2011

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COURT CALENDAR BY PANEL

Thursday, 24 February 2011

PANEL NO. 5

HONORABLE DONNA STROUD
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 24TH OF FEBRUARY 2011**
AT 9:30 a.m.

| | | |
|---|---------|------|
| Garlock, et al v Wake County Board of Ed... | 10-1123 | Wake |
|---|---------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 24TH OF FEBRUARY 2011**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|----------------------------|
| State v Brown | 10-920 | Wayne |
| State v Moore | 10-1009 | New Hanover |
| State v Whetstone | 10-1046 | Catawba |
| State v Woodard | 10-1078 | Buncombe |
| State v Durham | 10-1107 | Wake |
| State v Davis | 10-1156 | Mecklenburg |
| Wigmore v G&D Transportation, et al | 10-995 | N.C. Industrial Commission |
| High Point Bank and Trust Company v Hoff... | 10-1181 | Guilford |
| Cain v Ingersoll Rand, et al | 10-1203 | N.C. Industrial Commission |
| D.P. Solutions, Inc. v Xplore-Tech Servi... | 10-1229 | Guilford |

Sent Date: 25 January 2011

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 28 February 2011

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **28 FEBRUARY 2011** 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 Bright | 10-544 | Wake |
| State v Jordan | 10-675 | Wake |
| State v Sloan | 10-756 | Mecklenburg |
| State v Rout | 10-768 | Buncombe |
| State v Ford | 10-799 | Mecklenburg |
| State v Massey | 10-855 | Cabarrus |
| State v Cady | 10-872 | Wake |
| State v Bryant | 10-909 | Guilford |
| State v Lowery | 10-986 | Union |
| State v Owens | 10-1026 | Davidson |

Sent Date: 21 January 2011