

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>

COURT CALENDAR BY PANEL

Monday, 3 October 2011

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 3RD OF OCTOBER 2011 AT 1:30 p.m.**

| | | |
|------------------------|--------|-----------|
| State v Lopez | 11-697 | Buncombe |
| Robinson v Hope, et al | 11-665 | Henderson |

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

**Western Carolina University
The University Center on Campus
Cullowhee, NC 28723**

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COURT CALENDAR BY PANEL

Monday, 10 October 2011

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE MARTHA A. GEER
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 10TH OF OCTOBER 2011 AT 1:00 p.m.**

| | | |
|---|--------|-----------|
| Carter v TD Ameritrade Holding Corporati... | 11-254 | Durham |
| Smith v Marez, et al | 11-475 | Brunswick |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 10TH OF OCTOBER 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 Page | 11-365 | Gaston |
| State v Oakes | 11-418 | Forsyth |
| State v Dowell | 11-441 | Forsyth |
| State v Burgess | 11-460 | Robeson |
| State v Marin | 11-481 | Onslow |
| State v Stephens | 11-490 | Robeson |
| Praver v Raus | 11-413 | Mecklenburg |
| Edwards v Southern Maintenance | 11-509 | N.C. Industrial Commission |
| Patterson v The City of Gastonia | 11-520 | Gaston |
| Klingstubbins Southeast, Inc. v 301 Hill... | 11-549 | Wake |

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COURT CALENDAR BY PANEL

Tuesday, 11 October 2011

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 11TH OF OCTOBER 2011 AT 9:30 a.m.**

| | | |
|---|--------|-----------|
| Nguyen, et al v Taylor, et al | 11-369 | Guilford |
| Cambridge Southport, LLC v Southeast Bru... | 11-438 | Brunswick |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 11TH OF OCTOBER 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 Gutierrez | 11-411 | Gaston |
| State v Smith | 11-424 | Robeson |
| State v Mills | 11-442 | Mecklenburg |
| State v Culross | 11-462 | Wake |
| State v Reeves | 11-480 | Union |
| State v Gamble | 11-491 | Edgecombe |
| Malloy v Davis Mechanical, Inc., et al | 11-476 | N.C. Industrial Commission |
| Spanish Moss, LLC, et al v Wachovia, et ... | 11-510 | Mecklenburg |
| Taylor-Butler v Food Lion, Inc. | 11-539 | Carteret |
| Peters v North State Partners, LLC, et a... | 11-551 | New Hanover |

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COURT CALENDAR BY PANEL

Wednesday, 12 October 2011

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF OCTOBER 2011**
AT 9:30 a.m.

| | | |
|---|--------|--------|
| Orange County v Town of Hillsborough, et... | 11-375 | Orange |
| Orange County v Town of Hillsborough, et... | 11-386 | Orange |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF OCTOBER 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 | 11-412 | Mecklenburg |
| State v Harrison | 11-425 | Nash |
| State v Johnson | 11-443 | New Hanover |
| State v Oaks | 11-463 | Mecklenburg |
| State v Moore | 11-487 | Durham |
| State v Dover | 11-502 | Lincoln |
| Greco v Penn National Security Insurance... | 11-483 | Craven |
| Salomon v The Oaks Of Carolina, et al | 11-511 | N.C. Industrial Commission |
| In The Matter Of: Family Tree Farm, LLC | 11-540 | Property Tax Commission |
| Osae v Osae | 11-560 | Wake |

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COURT CALENDAR BY PANEL

Wednesday, 12 October 2011

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF OCTOBER 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 McGill | 11-416 | Cleveland |
| State v Surret | 11-428 | Haywood |
| State v Hudson | 11-444 | Mecklenburg |
| State v Young | 11-488 | Wayne |
| State v Sprouse | 11-518 | Haywood |
| In The Matter Of: R.P. | 11-370 | Durham |
| In Re: Petition For Reinstatement of McG... | 11-471 | Disciplinary Hearing Commission |
| Simpson v Raymer | 11-499 | Cabarrus |
| Durham Hosiery Mill Limited Partnership ... | 11-515 | Durham |
| Sutton v Sutton | 11-547 | Onslow |

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COURT CALENDAR BY PANEL

Thursday, 13 October 2011

PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.
HONORABLE CHERI BEASLEY
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 13TH OF OCTOBER 2011 AT 9:30 a.m.**

| | | |
|---|--------|----------|
| Jenkins, et al v Hearn Vascular Surgery,... | 11-454 | Forsyth |
| Apac-Atlantic, Inc. v Firemens Insurance... | 11-541 | Scotland |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 13TH OF OCTOBER 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 Black | 11-354 | Mecklenburg |
| State v White | 11-417 | Guilford |
| State v Miller | 11-431 | Buncombe |
| State v Gibson | 11-465 | Pitt |
| State v Perry | 11-455 | Martin |
| State v Costner | 11-489 | Cleveland |
| The NC State Bar v Hunter | 11-221 | Disciplinary Hearing Commission |
| Morales, et al v Greensboro Contracting ... | 11-376 | N.C. Industrial Commission |
| McKinney v McKinney | 11-496 | Guilford |
| Underwood v Underwood | 11-519 | Mitchell |

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COURT CALENDAR BY PANEL

Tuesday, 25 October 2011

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 25TH OF OCTOBER 2011 AT 9:30 a.m.**

| | | |
|---|--------|----------|
| State v King | 11-526 | Haywood |
| Sandhill Amusements, Inc., et al v State... | 11-301 | Wake |
| Hest Technologies, Inc., et al v State o... | 11-459 | Guilford |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 25TH OF OCTOBER 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 Hunter | 11-478 | Durham |
| State v Reynolds | 11-536 | Lincoln |
| State v White | 11-558 | Perquimans |
| State v Thompson | 11-582 | Mecklenburg |
| State v Childers | 11-593 | Hoke |
| Emmanuel African Methodist Episcopal Chu... | 11-498 | Durham |
| Nationwide Mutual Insurance Company v Er... | 11-559 | Wake |
| Bowers, et al v Wayne Temple, et al | 11-566 | Carteret |
| Formyduval, et al v Yeddo, et al | 11-584 | Brunswick |

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COURT CALENDAR BY PANEL

Wednesday, 26 October 2011

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE MARTHA A. GEER
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF OCTOBER 2011**
AT 1:00 p.m.

| | | |
|------------------------------|--------|------|
| State v Friend | 11-572 | Pitt |
| Bryan Beatty v Charles Jones | 11-414 | Wake |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF OCTOBER 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 Coleman | 11-486 | Mecklenburg |
| State v Collins | 11-529 | Columbus |
| State v Perez-Roman | 11-545 | Craven |
| State v Davis | 11-591 | Johnston |
| State v Cardenas-Zavala | 11-599 | Catawba |
| Woodard v Sun Bay Condominium Owners Ass... | 11-492 | Wilson |
| Weaver v Thomas | 11-514 | Cleveland |
| Crop Production Services, Inc. v McDonal... | 11-567 | Franklin |
| Danius, et al v Rodgers | 11-586 | Mecklenburg |

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COURT CALENDAR BY PANEL

Wednesday, 26 October 2011

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 26TH OF OCTOBER 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 Rogers | 11-482 | Orange |
| State v Pascasio | 11-527 | Forsyth |
| State v Corbitt | 11-542 | Forsyth |
| State v King | 11-568 | Buncombe |
| State v Rivera-Ocana | 11-583 | Mecklenburg |
| State v Burney | 11-597 | Pitt |
| Archie v Kirk, et al | 11-436 | N.C. Industrial Commission |
| Captran Nevada Corp. v The Kirklin Law F... | 11-474 | Moore |
| Ginsberg v Board of Governors Of The Uni... | 11-506 | Orange |
| Morgan v Cadieu, et al | 11-564 | Mecklenburg |
| The Vue-Charlotte, LLC, et al v Sherman | 11-594 | Mecklenburg |
| Jafari, et al v The Vue-Charlotte, LLC, ... | 11-595 | Mecklenburg |

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COURT CALENDAR BY PANEL

Thursday, 27 October 2011

PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.
HONORABLE CRESSIE H. THIGPEN, JR.
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 27TH OF OCTOBER 2011 AT 9:30 a.m.**

| | | |
|---|--------|----------|
| State v Gillikin | 11-607 | Carteret |
| Phelps Staffing, LLC v S.C. Phelps, Inc.... | 11-472 | Franklin |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 27TH OF OCTOBER 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 Brason | 11-517 | Wilkes |
| State v Pegues | 11-530 | Mecklenburg |
| State v Oliver | 11-546 | Mecklenburg |
| State v Thomas | 11-573 | Alamance |
| State v Branch | 11-592 | Wake |
| Pierce v The Atlantic Group, Inc., et al | 11-494 | Robeson |
| Nelson, et al v Brown, et al | 11-535 | Orange |
| In The Matter Of: Bass | 11-565 | Durham |
| Solomon v NC State Veterans Nursing Home... | 11-571 | N.C. Industrial Commission |
| Chandler v Atlantic Scrap And Processing... | 11-618 | N.C. Industrial Commission |