

# 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, 2 April 2012

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON MONDAY, 2ND OF APRIL 2012 AT 1:00 p.m.

State v Benham	11-1321	Mecklenburg
Williams v O Charleys, Inc.	11-1467	Rowan

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

**Charlotte School of Law**  
**2145 Suttle Avenue**  
**Charlotte, N. C. 28208**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON MONDAY, 2ND OF APRIL 2012. 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	11-1335	Forsyth
State v Braswell	11-1366	Watauga
State v Saunders	11-1445	Mecklenburg
State v Houseright	11-1490	Forsyth
State v Parker	11-1525	Forsyth
In The Matter Of: Draffen	11-1403	Carteret
Hedgepeth v Bell	11-1493	Currituck

Sent Date: 13 March 2012

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## COURT CALENDAR BY PANEL

Tuesday, 3 April 2012

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE WANDA G. BRYANT  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF APRIL 2012.**  
COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Long	11-962	Brunswick
State v Williams	11-1326	Haywood
State v Sharpless	11-1343	New Hanover
State v Yancey	11-1409	Burke
State v Davis	11-1464	Mecklenburg
State v Dunn	11-1505	Guilford
Cole v The City of Charlotte	11-1307	Mecklenburg
Manecke v Kurtz, et al	11-1447	Mecklenburg
In The Matter Of: DHMRI	11-1480	Property Tax Commission

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## COURT CALENDAR BY PANEL

Tuesday, 3 April 2012

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF APRIL 2012.**  
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State v Vasquez	11-1162	Mecklenburg
State v Jones	11-1330	Carteret
State v Rhodes	11-1347	Cumberland
State v Marslender	11-1410	Onslow
State v Oxendine	11-1473	Robeson
State v Stemplinger	11-1510	Mecklenburg
In The Matter Of: N.J.	11-1369	Durham
In The Matter Of: Hamilton	11-1463	Transylvania
In The Matter Of The Foreclosure Of: Wil...	11-1487	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 4 April 2012

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE DONNA STROUD  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF APRIL 2012 AT 9:30 a.m.**

Doe v The Charlotte-Mecklenburg Bd. of E...	11-1466	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF APRIL 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Bridges	11-1196	Cleveland
State v Ramirez	11-1331	Pitt
State v Long	11-1363	Guilford
State v Berrum	11-1440	Guilford
State v Glenn	11-1488	Rowan
State v Harwood	11-1513	Buncombe
Kiell v Kiell	11-1400	Catawba
Turner v Turner	11-1492	Moore

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## COURT CALENDAR BY PANEL

Thursday, 5 April 2012

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE MARTHA A. GEER  
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 5TH OF APRIL 2012.** 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	11-1292	Craven
State v Black	11-1342	Lincoln
State v Mather	11-1393	Moore
State v Manning	11-1448	Pitt
State v Coleman	11-1491	New Hanover
State v Nelson	11-1531	Durham
Horsley v Halifax Regional Medical Cente...	11-1443	Halifax
McKyer v McKyer	11-1476	Mecklenburg
Ochsner v Elon University, et al	11-1571	Alamance

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## COURT CALENDAR BY PANEL

Monday, 23 April 2012

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE WANDA G. BRYANT  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF APRIL 2012 AT 1:00 p.m.**

Turner, et al v The Hammocks Beach Corpo...	11-1420	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF APRIL 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Rouse	11-1239	Mecklenburg
State v Guilford	11-1367	Martin
State v Moore	11-1434	Duplin
State v Kramer	11-1524	Haywood
State v Vester	11-1587	Franklin
State v Speciale	12-34	Craven
Eaton v Campbell, et al	11-1362	Franklin
Adkins, ex rel v Stilwell, et al	11-1468	Rockingham
Livingston v Robeson County, et al	11-1521	Robeson
Reynoso, et al v Mallard Oil Company, et...	11-1537	Lenoir
Patel v Elite Warehousing LLC, et al	11-1550	Wake

Sent Date: 3 April 2012

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## COURT CALENDAR BY PANEL

Tuesday, 24 April 2012

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF APRIL 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Picklesimer	11-1245	Jackson
State v Carver	11-1382	Gaston
State v Moody	11-1435	Randolph
State v Pemberton	11-1555	Guilford
State v Floyd	11-1597	Wayne
State v Webb	12-88	Wake
Escarraman, et al v Northwoods At Coulwo...	11-1386	Mecklenburg
Young And McQueen Grading Co. v Mar-Comm...	11-1450	Buncombe
Legacy Vulcan Corp. v Garren, et al	11-1478	Henderson
Alston, ex rel v Granville Health System...	11-1522	Granville
Town of Forest City v Rutherford Railroa...	11-1567	Rutherford
Southeast Shortlines, Inc. v Rutherford ...	11-1569	Rutherford

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## COURT CALENDAR BY PANEL

Wednesday, 25 April 2012

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE DONNA STROUD  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF APRIL 2012 AT 9:30 a.m.**

State v Herman	11-1291	Catawba
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF APRIL 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Lineberger	11-1098	Forsyth
State v Huerta	11-1401	Guilford
State v Rollins	11-1437	Henderson
State v Mills	11-1560	Lenoir
State v Jordan	12-2	Pasquotank
In The Matter Of: J.H.	11-1194	Wake
Kennedy v Morgan	11-1392	Guilford
Fansler v Honeycutt	11-1451	Davidson
Fontana v Southeast Anesthesiology Consu...	11-1494	Mecklenburg
Dodd v Manheim Auctions, Inc., et al	11-1527	Johnston
Johnson v Avery County Board of Educatio...	11-1538	Avery

Sent Date: 3 April 2012



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## COURT CALENDAR BY PANEL

Wednesday, 25 April 2012

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF APRIL 2012 AT 1:00 p.m.**

Plasma Centers of America v Talecris Pla...	11-1266	Wake
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State v Curry	11-1207	Gaston
State v Davis	11-1336	Forsyth
State v Jack	11-1429	Wake
State v McDonald	11-1454	Mecklenburg
State v Mason	11-1563	Durham
State v Mills	12-3	Iredell
Gonzalez v Worrell, et al	11-1405	N.C. Industrial Commission
American Towers, Inc. v Town of Morrisvi...	11-1455	Wake
Thornton v City of Raleigh, et al	11-1503	N.C. Industrial Commission
Epes v B.E. Waterhouse, LLC, et al	11-1528	Guilford
In The Matter Of The Foreclosure Of: Cha...	11-1540	Rutherford

Sent Date: 3 April 2012

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## COURT CALENDAR BY PANEL

Thursday, 26 April 2012

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE MARTHA A. GEER  
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF APRIL 2012 AT 9:30 a.m.**

State v Cornell	11-1415	Guilford
MCC Outdoor, LLC v The Town of Wake Fore...	11-1279	Wake
Homesield Vinyl Siding & Windows v Park...	11-1465	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 26TH OF APRIL 2012.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Quinn	11-1231	Yancey
State v Riddle	11-1345	Buncombe
State v Whisenant	11-1519	Catawba
State v Thompson	11-1582	Mecklenburg
State v Collins	12-19	Cumberland
Brown v City of Burlington	11-1406	N.C. Industrial Commission
Wright v Wright	11-1511	Cabarrus
Cabbs v Cabbs	11-1536	Mecklenburg
Wilkins v Farah, et al	11-1543	Guilford

Sent Date: 3 April 2012