

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 6 February 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **6 FEBRUARY 2012** 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: K.M.	11-837	Mecklenburg
In The Matter Of: V.M. and J.M.	11-972	Wake
In Re: T.B.C.	11-1072	Onslow
In Re: D.T.L., T.S.L., A.M.L.	11-1090	Cumberland
In Re: C.S.	11-1168	Columbus
In Re: W.W.	11-1249	Scotland

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Tuesday, 7 February 2012

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE ROBERT C. HUNTER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 7TH OF FEBRUARY 2012 AT 3:00 p.m.**

Filipowski v Oliver (Lieu)	11-996	Forsyth
The North Carolina State Bar v Barrett	11-1274	N.C. State Bar

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

**Wake Forest University School of Law
Worrell Professional Center
First Floor
Wake Forest Road
Winston-Salem, N. C. 27106**

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Tuesday, 7 February 2012

PANEL NO. 2

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 7TH OF FEBRUARY 2012 AT 9:30 a.m.**

Best Cartage, Inc. v Stonewall Packaging...	11-1153	Forsyth
New Century Bank, et al v Mulkey And Ass...	11-1219	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 7TH OF FEBRUARY 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 Dockery	11-961	McDowell
State v Henderson	11-1028	Wake
State v Stuckey	11-1113	Cumberland
State v Royal	11-1156	Durham
State v Scott	11-1182	Alamance
State v Colman	11-1247	Pitt
Sanford v Williams, et al	11-1066	Catawba
In The Matter Of: LORENZO RICHARDSON	11-1124	Granville
Lewis v Rapp	11-1188	Brunswick
Pait v Southeastern General Hospital, et...	11-1286	N.C. Industrial Commission

Sent Date: 19 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Wednesday, 8 February 2012

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE RICK ELMORE
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 2012 AT 9:30 a.m.**

Kights Medical Corp. v Pickett, et al	11-954	Wake
---------------------------------------	--------	------

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 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 Gorman	11-840	Davidson
State v McFadgen	11-978	Mecklenburg
State v Harris	11-1031	Mecklenburg
State v Pittman	11-1114	Granville
State v Robinson	11-1163	Mecklenburg
State v Hewson	11-1208	New Hanover
Jerkins v Warren	11-1073	Pitt
Holloway v Holloway	11-1135	Wayne
MacMillan v MacMillan	11-1158	Forsyth
Champak Patel v Scottsdale Insurance Com...	11-1198	Wake
Elite Flooring And Design, Inc. v Beauca...	11-1233	Buncombe

Sent Date: 19 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Wednesday, 8 February 2012

PANEL NO. 4

HONORABLE SANFORD STEELMAN
HONORABLE MARTHA A. GEER
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 2012**
AT 1:00 p.m.

State v Montgomery	11-1134	Mecklenburg
Berth Oil Company, et al v NC DOT	11-1012	Forsyth

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 8TH OF FEBRUARY 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 Davis	11-845	Guilford
State v Kearney	11-992	Durham
State v Foust	11-1067	Alamance
State v Hicks	11-1165	Pitt
State v Burdette	11-1210	Cabarrus
Boynton v McLaurin, et al	11-1089	Catawba
In Re: Grandfather Vistas Litigation	11-1139	Mecklenburg
Laurel Hill Apartments v Hall	11-1169	Cleveland
Washington v Mahbuba	11-1199	Forsyth
Dulaney v Inmar, Inc.	11-1273	Forsyth

Sent Date: 19 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Thursday, 9 February 2012

PANEL NO. 5

HONORABLE LINDA STEPHENS
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

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

Tinsley v City of Charlotte	11-1117	N.C. Industrial Commission
-----------------------------	---------	----------------------------

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 9TH OF FEBRUARY 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 Blocker	11-940	Cumberland
State v Johnson, et al	11-1014	Wake
State v Pizano-Trejo	11-1085	Cumberland
State v Fennell	11-1148	Pender
State v Drummer	11-1172	Johnston
State v Yates, et al	11-1215	Wake
Lampkin, et al v Housing Management Reso...	11-1062	Catawba
In The Matter Of: IBM Credit Corporation	11-1144	Property Tax Commission
TD Bank, N.A. v Mirabella	11-1178	Buncombe
Dayton v Dayton, et al	11-1216	Ashe
McDonald, et al v NC Department of Corre...	11-1280	Wake

Sent Date: 19 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Monday, 20 February 2012

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE ROBERT C. HUNTER
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 20TH OF FEBRUARY 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 Moore	11-945	Harnett
State v Hall	11-1021	Durham
State v Parks	11-1104	Guilford
State v Audrey	11-1155	Mecklenburg
State v Watkins	11-1176	Graham
State v Justice	11-1232	Henderson
Tucker Materials, Inc. v Safesound Acous...	11-1119	Buncombe
Smith v Wake County Government, et al	11-1154	N.C. Industrial Commission
Marks v Marks	11-1183	Forsyth
Area Storage, Inc., v Old Oak Estates Co...	11-1221	Currituck

Sent Date: 31 January 2012

North Carolina Court of Appeals

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

3.1 Calendar

Monday, 20 February 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 FEBRUARY 2012** 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 Re: J.G.L.	11-1091	Union
In The Matter Of: S.C. and S.C.	11-1096	Mecklenburg
In The Matter Of: J.D.L., R.S.L., D.D.R.	11-1171	Haywood
In Re: D.J.N.	11-1235	Harnett
In The Matter Of: R.F., Jr.	11-1262	Iredell
In The Matter Of: D.M.	11-1295	Beaufort

Sent Date: 30 January 2012

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 20 February 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **20 FEBRUARY 2012** 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 Brown	11-671	Cleveland
State v Young	11-720	Cleveland
State v Graves	11-785	Rockingham
State v Sloan	11-795	Mecklenburg
State v Wright	11-833	Rockingham
State v Colon	11-924	Cumberland
State v Moses	11-976	Mecklenburg
State v Gordon	11-977	Stanly
State v Fearrington	11-1030	Orange
In The Matter Of: C.W.	11-1157	Sampson

Sent Date: 23 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Tuesday, 21 February 2012

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE MARTHA A. GEER
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 21ST OF FEBRUARY 2012 AT 9:30 a.m.**

Fisher, et al v Town of Nags Head	11-1140	Dare
Experienceone Homes, LLC, et al v Town o...	11-1193	Wake
Clements v Clements	11-1323	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 21ST OF FEBRUARY 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 Lewis	11-861	Onslow
State v Galvin	11-1112	Mecklenburg
State v Aguilar-Ocampo	11-1160	Wake
Newbridge Bank, et al v Kotis Holdings, ...	11-1016	Guilford
New Hanover Regional Medical Ctr. v Cros...	11-1095	New Hanover
Southland Distributors of North Carolina...	11-1218	Henderson
Manuel v Gembala	11-1236	Bladen
Carolina Beach, LLC v Carpenter, et al	11-1269	Mecklenburg
Tarrant v Hudson, et al	11-1311	Wake

Sent Date: 31 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Wednesday, 22 February 2012

PANEL NO. 4

HONORABLE ANN MARIE CALABRIA
HONORABLE SAM J. ERVIN, IV
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 2012 AT 1:00 p.m.**

State v Allen	11-744	Durham
James, et al v Bledsoe, et al	11-944	Guilford
Heritage Operating, L.P. v N.C. Propane ...	11-1212	Davidson

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 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 Kim	11-963	Mecklenburg
State v Brooks	11-1149	Durham
Eubank v Van-Riel, et al	11-1088	Forsyth
Hunt v Public Schools Of Robeson County,...	11-1110	N.C. Industrial Commission
McFalls v Ingles Markets, Inc.	11-1185	N.C. Industrial Commission
In Re: Foreclosure of Vogler	11-1226	Surry
State v Smith	11-1252	Guilford
In The Matter Of The Will Of: Abbruzzese	11-1293	New Hanover
McMillan, et al v Ryan Jackson Propertie...	11-1318	Guilford

Sent Date: 31 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Wednesday, 22 February 2012

PANEL NO. 3

HONORABLE WANDA G. BRYANT
HONORABLE ROBERT N. HUNTER, JR.
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 22ND OF FEBRUARY 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 Fisher	11-938	Mecklenburg
State v Becton	11-1147	Wake
State v Laney	11-1173	Mecklenburg
Begley v Begley	11-1087	Lincoln
In The Matter Of: V.C.R.	11-1108	Wake
Warren v State	11-1164	Wake
Willis v Willis	11-1211	Carteret
EHP Land Co., Inc. v Boshier, et al	11-1220	Perquimans
Smith v The City Of Fayetteville	11-1263	Cumberland
Matthieu v Miller, et al	11-1287	Rockingham
Smith v Bank of Stanly	11-1314	Stanly
Thomas v JE Wilson Enterprises, et al	11-1352	N.C. Industrial Commission

Sent Date: 31 January 2012

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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> ***

COURT CALENDAR BY PANEL

Thursday, 23 February 2012

PANEL NO. 5

HONORABLE RICK ELMORE
HONORABLE SANFORD STEELMAN
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 23RD OF FEBRUARY 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 York	11-807	Forsyth
State v Makowske	11-1056	Guilford
State v Conner	11-1152	Rockingham
Swingle v Allender	11-1008	Buncombe
In The Matter Of: P.K.M.	11-1094	Macon
Albert, et al v Cowart, et al	11-1136	Henderson
Stephenson v Time Warner Cable Inc., et ...	11-1192	Orange
Meeker v Meeker	11-1217	Durham
Hindman, et al v Appalachian State Unive...	11-1229	Watauga
Thompson v Letendre	11-1268	Alamance
Riggs v Burns	11-1306	Currituck
Beeson v Palombo, et al	11-1324	Craven

Sent Date: 31 January 2012