

# 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

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**

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## 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

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## 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
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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

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## 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
Beroth 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
Boynnton 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

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## 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
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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

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## 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

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## 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

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## 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



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### 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

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## 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