

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 5 March 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **5 MARCH 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.N.M.	11-1138	Lincoln
In The Matter Of: K.R.B. and L.T.B.	11-1167	Forsyth
In Re: I.B.I.	11-1184	Haywood
In The Matter Of: T.M., S.M., and J.M.	11-1265	Iredell
In Re: A.F.	11-1358	Cumberland
In The Matter Of: K.R.B.	11-1377	Caldwell

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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, 6 March 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, 6TH OF MARCH 2012 AT 1:00 p.m.**

State v Hunt	11-1223	Cabarrus
Crumley & Associates, P.C. v Charles Pee...	11-1077	Forsyth

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State v Corbett	11-1129	Mecklenburg
State v Gilchrist	11-1272	Guilford
State v Hall	11-1316	Caldwell
State v Stephens	11-1341	Gaston
State v Royster	11-1389	Durham
Portfolio Recovery Associates, LLC v Ham...	11-1260	Cumberland
Dixon v Gist	11-1370	Davidson

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## COURT CALENDAR BY PANEL

Tuesday, 6 March 2012

### PANEL NO. 2

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 6TH OF MARCH 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 Whittington	11-1197	Nash
State v Siler	11-1230	Randolph
State v Foye	11-1281	Lenoir
State v Jones	11-1317	Mecklenburg
State v Williams	11-1344	Franklin
State v Fowler	11-1414	Mecklenburg
Murphy-Smith v NC Department Of Correcti...	11-1137	N.C. Industrial Commission
Dunn v Dart, et al	11-1264	Craven
Schweizer v Patterson	11-1371	Transylvania

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## COURT CALENDAR BY PANEL

Wednesday, 7 March 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, 7TH OF MARCH 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 Segal	11-1201	Lincoln
State v Conley	11-1251	Cabarrus
State v McClenny	11-1283	Currituck
State v McNeil	11-1319	McDowell
State v Rhodes	11-1355	Rockingham
State v Gleason	11-1439	Guilford
Melson v Crane	11-1237	Craven
Blackburn v Bugg	11-1349	Warren
Smith v Smith, et al	11-1381	Vance

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## COURT CALENDAR BY PANEL

Wednesday, 7 March 2012

### PANEL NO. 4

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 7TH OF MARCH 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 Keefe	11-1204	Durham
State v Williams	11-1256	Mecklenburg
State v Kirk	11-1285	Mecklenburg
State v Chandler, et al	11-1328	Durham
State v Wood	11-1360	Mecklenburg
State v Ross	11-1462	Cleveland
Valu-Lodge Of Greenville, Inc., et al v ...	11-1241	Buncombe
Burnham v McGee Brothers Company, Inc., ...	11-1359	N.C. Industrial Commission
Greco v Greco	11-1396	Johnston

Sent Date: 14 February 2012

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## COURT CALENDAR BY PANEL

Thursday, 8 March 2012

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE SANFORD STEELMAN  
HONORABLE DONNA STROUD

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

State v Rivera, et al	11-1209	Mecklenburg
T-WOL Acquisition Company, Inc., et al v...	11-1244	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 8TH OF MARCH 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 Smalley	11-918	Union
State v Arciniega	11-1271	Wayne
State v Farmer	11-1310	Onslow
State v Brown	11-1340	Alamance
State v Ratliff	11-1384	Buncombe
Rink And Robinson, PLLC v Catawba Valley...	11-955	Catawba
Spencer v North Carolina Board of Nursin...	11-1361	Wake

Sent Date: 14 February 2012

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## COURT CALENDAR BY PANEL

Tuesday, 20 March 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, 20TH OF MARCH 2012 AT 9:30 a.m.**

State, ex rel v Pharr, et al	11-1302	Hyde
RL Regi North Carolina, LLC v Moser, et ...	11-1470	Union

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 20TH OF MARCH 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 Wong	11-994	Catawba
State v Foster	11-1227	Rowan
State v Rash	11-1327	Cleveland
The City Of Charlotte v MPP South Point ...	11-1191	Mecklenburg
Harrell v Edgecombe County Schools, et a...	11-1332	N.C. Industrial Commission
Hankins v Bartlett	11-1394	Guilford
Hershner v ESC	11-1425	Wake

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## COURT CALENDAR BY PANEL

Wednesday, 21 March 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, 21ST OF MARCH 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 Thomas	11-1047	Durham
State v Smith	11-1277	Pitt
State v Bettis	11-1334	Durham
John Conner Construction, et al v Grandf...	11-1228	Avery
Butler v Charlotte-Mecklenburg Board of ...	11-1312	Mecklenburg
Trivett v Stine, et al	11-1339	Granville
Fatta v M & M Properties Management, Inc...	11-1397	Iredell
Leveaux-Quigless v Pilgrim, et al	11-1456	Wake
Robinson v North Carolina Department of ...	11-1477	N.C. Industrial Commission



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## COURT CALENDAR BY PANEL

Wednesday, 21 March 2012

### PANEL NO. 4

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 21ST OF MARCH 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 Munn	11-1202	Onslow
State v Comeaux	11-1289	Buncombe
State v Logan	11-1402	Henderson
Pickney v DOT	11-1296	Wake
Moss v Moss	11-1313	Mecklenburg
Curtis v Curtis	11-1350	Caldwell
Vuncannon, et al v NC Institute of Chris...	11-1404	Randolph
Miller v Szilagyi, et al	11-1458	Surry
HCW Retirement And Financial, et al v HC...	11-1479	Orange

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## COURT CALENDAR BY PANEL

Thursday, 22 March 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, 22ND OF MARCH 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 Miles	11-1203	Greene
State v Sellars	11-1315	Forsyth
State v Williams	11-1496	Mecklenburg
Kennedy v Minuteman Powerboss, et al	11-1248	N.C. Industrial Commission
Sisk v Sisk	11-1320	Lincoln
In The Matter Of: A.M.	11-1380	Onslow
Hardy, et al v Vance County Board of Edu...	11-1418	Vance
In The Matter Of: Carpenter	11-1459	Avery
Finch v Campus Habitat, L.L.C.	11-1485	Wilson

Sent Date: 27 February 2012

# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 26 March 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **26 MARCH 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: J.M.D.	11-1222	Greene
In The Matter Of: J.N.M. and J.D.W.	11-1224	Greene
In The Matter of: J.L.	11-1225	Pender
In Re: S.L.B. and M.I.B.	11-1261	Forsyth
In The Matter Of: C.M.W., et al	11-1325	Beaufort
In The Matter Of: Y.B.S.	11-1357	Yadkin

Sent Date: 7 March 2012

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 26 March 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **26 MARCH 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 Robinson	11-986	Catawba
State v Finnell	11-1041	Orange
State v Walden	11-1064	Wake
State v Mills	11-1076	Mecklenburg
State v Johnson	11-1099	Alamance
State v Ollis	11-1131	Watauga
State v Hill	11-1151	Cabarrus
State v Jones	11-1189	Cabarrus
State v Gill	11-1206	Lee

Sent Date: 27 February 2012