

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, 8 October 2012

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 8TH OF OCTOBER 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 Clanton	12-310	Halifax
State v Black	12-431	Mecklenburg
State v Rendleman	12-463	Catawba
State v Buckheit	12-465	Wake
State v Moreno	12-530	Stanly
State v Shaw	12-545	Durham
Waters v Schenker Logistics, Inc., et al	12-307	N.C. Industrial Commission
Bank Of North Carolina v Equity Partners...	12-450	Guilford
Isabeau Dakota Inc., et al v Hagler	12-504	Cumberland
Watson v King, et al	12-532	Franklin
James v Equity Residential Management, e...	12-569	Mecklenburg
Bowman v Scion, et al	12-709	N.C. Industrial Commission

Sent Date: 7 September 2012

North Carolina Court of Appeals

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

Supplemental Calendar

Monday, 8 October 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **8 OCTOBER 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 Neff	12-108	Buncombe
State v Mullis	12-192	Stanly
State v McMillian	12-225	Hoke
State v Douglas	12-261	Mecklenburg
State v. Barnhill	12-264	Randolph
State v Smith	12-280	Moore
State v Smith	12-311	Mecklenburg
State v Capps	12-312	Moore
State v Dawson	12-314	Lenoir
State v Patterson	12-404	Cleveland

Sent Date: 5 September 2012

North Carolina Court of Appeals

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

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COURT CALENDAR BY PANEL

Tuesday, 9 October 2012

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE WANDA G. BRYANT
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF OCTOBER 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 Best	12-409	Johnston
State v Grier	12-448	Mecklenburg
State v Royster	12-458	Mecklenburg
State v McDaris	12-476	Mecklenburg
State v James	12-540	Rowan
State v Standridge	12-546	Cherokee
Cruz v DMSI Staffing, LLC, et al	12-438	N.C. Industrial Commission
Smith v Drumm	12-492	Mecklenburg
Digh v Digh	12-506	Burke
King v Blanton	12-534	Columbus
Martin v Moreau, et al	12-591	Wake
Ochoa v Noahs Angels, LLC, et al	12-713	N.C. Industrial Commission

Sent Date: 7 September 2012

North Carolina Court of Appeals

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

3.1 Calendar

Tuesday, 9 October 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **9 OCTOBER 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: M.N.P. and E.P.	12-357	Pender
In The Matter Of: G.L.B.	12-474	Perquimans
In Re: C.M.R., L.C.R., B.G.R.	12-593	Union
In The Matter Of: L.L.	12-594	Orange
In The Matter Of: T.V.O. and A.H.	12-650	Mecklenburg
In The Matter Of: M.A.M.C.	12-665	New Hanover

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COURT CALENDAR BY PANEL

Wednesday, 10 October 2012

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF OCTOBER 2012** **AT 9:30 a.m.**

State v Broom	12-209	Alamance
State v McKenzie	12-436	Duplin
WakeMed v NC DHHS	12-364	N.C. Dept. of Health & Human Svcs

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF OCTOBER 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 Foster	12-367	Mecklenburg
State v Hunt	12-481	Durham
State v Banks	12-531	Rowan
State v Claxton	12-556	Mecklenburg
Dixon v Gifford	12-520	Carteret
City of Clinton v Global Construction, I...	12-548	Sampson
Johnson v Bank of America, N.A., et al	12-562	Durham
Stepp v Awakening Heart, PA, et al	12-581	Henderson
Alcorn v Bland, et al	12-613	Pitt

Sent Date: 7 September 2012

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COURT CALENDAR BY PANEL

Wednesday, 10 October 2012

PANEL NO. 4

HONORABLE RICK ELMORE
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF OCTOBER 2012** **AT 1:00 p.m.**

State v Huss	12-250	Lincoln
Friends of Joe Sam Queen v Ralph Hise Fo...	12-455	Haywood

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF OCTOBER 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 Franklin	12-412	Mecklenburg
State v Patton	12-507	Buncombe
State v Kochuk	12-525	Durham
State v Griffin	12-544	Union
State v Bailey	12-558	Mecklenburg
Martinez v The University of North Carol...	12-396	Guilford
King v Brooks, et al	12-533	Buncombe
Executive Medical Transportation, et al ...	12-573	Jones
Erthal, et al v May, et al	12-603	Polk
Moeller, et al v Tru-Flex Metal Hose, LL...	12-616	Wake

Sent Date: 7 September 2012

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COURT CALENDAR BY PANEL

Thursday, 11 October 2012

PANEL NO. 5

HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF OCTOBER 2012 AT 9:30 a.m.**

Thigpen, et al v Cooper

12-582

Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF OCTOBER 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

12-365

Alamance

State v Phillips

12-415

Brunswick

State v Corkum

12-526

Guilford

State v Whitaker

12-527

Wake

State v Langston

12-554

Duplin

State v Long

12-571

Craven

Moore v Bell Senior Living, et al

12-440

N.C. Industrial Commission

Cameron Hospitality, Inc., et al v Cline...

12-522

Wake

The Town of Sandy Creek v East Coast Con...

12-561

Brunswick

Properties of Southern Wake, LLC v The F...

12-611

Wake

In The Matter Of The Foreclosure Of: Eag...

12-621

Avery

Sent Date: 7 September 2012

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COURT CALENDAR BY PANEL

Monday, 22 October 2012

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE SANFORD STEELMAN
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF OCTOBER 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 McLean	12-502	Wake
State v Crawford	12-565	Buncombe
State v Winchester	12-580	Mecklenburg
State v Williams	12-596	Mecklenburg
State v Hernandez	12-723	Davie
State v Martin	12-808	Wake
In The Matter Of: D.A.C.	12-568	Stanly
Shareef v NC Central University, et al	12-602	Durham
Dixon v Gordon	12-660	Mecklenburg
Green, et al v Kearney, et al	12-678	Franklin
Sellers v McArthur Supply, et al	12-700	N.C. Industrial Commission
Bryant And Associates, LLC, et al v Evan...	12-732	Clay

Sent Date: 24 September 2012

North Carolina Court of Appeals

Court of Appeals Building
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Supplemental Calendar

Monday, 22 October 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **22 OCTOBER 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 Steele	12-191	Mecklenburg
State v Carswell	12-289	Halifax
State v Davis	12-301	Moore
State v Mizelle	12-351	Carteret
State v Autry	12-368	Sampson
State v Lopez	12-536	Union
In The Matter Of: A.M.	12-583	Mecklenburg
State v Bailey	12-597	Buncombe
State v Baldwin	12-609	Montgomery
State v Greene	12-619	Mecklenburg

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COURT CALENDAR BY PANEL

Tuesday, 23 October 2012

PANEL NO. 2

HONORABLE LINDA M. MCGEE
HONORABLE WANDA G. BRYANT
HONORABLE CRESSIE H. THIGPEN, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF OCTOBER 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 Elmore	12-459	Catawba
State v Robeson	12-511	Cabarrus
State v Sorrell	12-572	Wake
State v Hardy	12-586	Guilford
State v Partida-Rodriguez	12-632	Mecklenburg
State v Krieger	12-730	Stanly
Reed v Olson	12-547	Orange
Leeuwenburg v Harmon	12-629	Onslow
TD Bank, N.A. v Crown Leasing Partners, ...	12-648	Buncombe
Dolan v Dickson Properties, Inc.	12-681	Durham
Fatta v M & M Properties Management, Inc...	12-694	Iredell
In The Matter Of: Posha Whatley	12-716	Mecklenburg

Sent Date: 24 September 2012

North Carolina Court of Appeals

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

3.1 Calendar

Tuesday, 23 October 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **23 OCTOBER 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.L.H.	12-452	Mecklenburg
In The Matter Of: H.R., A.G., C.Z.G., C....	12-549	Randolph
In The Matter Of: R.D., S.E.D., A.F., Jr...	12-605	Vance
In The Matter Of: K.A.M.L-P.	12-627	Davidson
In The Matter Of: A.R.	12-752	Alexander
In The Matter Of: J.B.L.J.	12-778	Lincoln

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COURT CALENDAR BY PANEL

Wednesday, 24 October 2012

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF OCTOBER 2012 AT 9:30 a.m.**

State v Rollins

12-552

Martin

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF OCTOBER 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 Wilkes

12-387

Moore

State v Grice

12-577

Johnston

State v Garrison

12-589

Durham

State v Wilson

12-655

Sampson

State v Randolph

12-688

Wayne

Barr v Goodyear Tire And Rubber Co., et ...

12-557

N.C. Industrial Commission

Kopf v Smartflow Technologies, Inc.

12-612

Wake

Southern Seeding Service, Inc. v W.C. En...

12-636

Guilford

Gould v Gould

12-662

Nash

Jemm, LLC v Crawford, et al

12-683

Guilford

MNC Holdings, LLC v The Town of Matthews

12-703

Mecklenburg

Sent Date: 24 September 2012

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COURT CALENDAR BY PANEL

Wednesday, 24 October 2012

PANEL NO. 4

HONORABLE RICK ELMORE
HONORABLE DONNA STROUD
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF OCTOBER 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 Pittman	12-510	Edgecombe
State v Martin	12-553	Moore
State v Springs	12-578	Forsyth
State v Thomas	12-590	Washington
State v Hope	12-659	Randolph
State v Brooks	12-747	Johnston
Hamilton v Mortgage Information Services...	12-584	Wake
Waterway Drive Property Owners, et al v ...	12-614	Carteret
Lewis v Hope	12-651	Wake
Rutherford Plantation v The Challenge Go...	12-666	Rutherford
Ascension Insurance Agency, Inc. v Alexa...	12-691	Mecklenburg
Pittman v Hyatt Coin And Gun, Inc., et a...	12-706	Mecklenburg

Sent Date: 24 September 2012

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COURT CALENDAR BY PANEL

Thursday, 25 October 2012

PANEL NO. 5

HONORABLE MARTHA A. GEER
HONORABLE LINDA STEPHENS
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF OCTOBER 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 Taylor	12-529	Forsyth
State v Gardner	12-564	Iredell
State v McNeely	12-579	Forsyth
State v Green	12-601	Wake
State v Sanders	12-676	Beaufort
State v Boykin	12-816	Wake
Rainey v The Goodyear Tire And Rubber Co...	12-588	N.C. Industrial Commission
In The Matter Of: NC Yadkin House, LLC	12-630	Property Tax Commission
In The Matter Of: Dunn	12-656	Cumberland
Williams v Lynch, et al	12-682	Mecklenburg
Crossman v Life Care Centers Of America,...	12-702	Henderson
Sollis v Holman	12-712	Onslow

Sent Date: 24 September 2012

North Carolina Court of Appeals

Court of Appeals Building
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3.1 Calendar

Monday, 29 October 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **29 OCTOBER 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: S.M.D., A.D., and R.P....	12-373	Guilford
In The Matter Of: D.D.R.	12-521	Guilford
In The Matter Of: H.J.A. and T.M.A.	12-638	Mecklenburg
In Re: K.O.	12-722	Mecklenburg
In The Matter Of: R.B., Jr.	12-858	Wake
In The Matter Of: T.M., B.H., M.H.	12-895	Mecklenburg

Sent Date: 3 October 2012