

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 3 December 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **3 DECEMBER 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: T.W.B., Jr.	12-615	Rockingham
In Re: D.N.W.	12-765	Sampson
In The Matter Of: R.J.U., Jr. and C.D.U.	12-806	Durham
In The Matter Of: C.C.B. and T.S.G.	12-875	Mecklenburg
In Re: M.L.M.	12-984	Sampson
In The Matter Of: K.C.H.	12-1013	Caldwell

# 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, 10 December 2012

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE SAM J. ERVIN, IV  
HONORABLE CRESSIE H. THIGPEN, JR.

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

Andrews, et al v Land	12-847	Union
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 10TH OF DECEMBER 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 Willis	12-689	Mecklenburg
State v Moll	12-755	Onslow
State v Smith	12-809	Gaston
State v Bass	12-828	Durham
State v Braswell	12-876	Nash
State v Hatfield	12-961	Wake
Samost, et al v Duke University	12-635	Durham
Powell, et al v N.C. Department of Healt...	12-823	N.C. Dept. of Health & Human Svcs
In The Matter Of: J.D.O.	12-884	Stanly
Bissette v Harrod, et al	12-921	Guilford
Fragale v Hutchinson, et al	12-953	Mecklenburg

Sent Date: 16 November 2012

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 11 December 2012

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE ROBERT C. HUNTER  
HONORABLE RICK ELMORE

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 11TH OF DECEMBER 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 Aviles	12-698	Mecklenburg
State v McGhee	12-782	Granville
State v Stokes	12-810	Hoke
State v Fraley	12-832	Forsyth
State v Morgan	12-889	Moore
State v Muhammad	12-963	Wake
Ludlam v Miller	12-637	Guilford
Baines v Baines	12-829	Durham
In Re: Gray Foreclosure	12-854	Cabarrus
Martin v OSI Restaurant Partners, LLC, e...	12-887	Forsyth
D.P. Solutions, Inc. v Xplore-Tech Servi...	12-925	Guilford
Robinson v Lassiter	12-957	Pitt

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## COURT CALENDAR BY PANEL

Wednesday, 12 December 2012

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF DECEMBER 2012 AT 2:00 p.m.**

Hurst, et al v Jones, et al	12-758	Cabarrus
Housecalls Home Health Care, Inc., et al...	12-839	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF DECEMBER 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 Sheppard	12-737	Forsyth
State v Lovette	12-794	Orange
State v Alston	12-815	Wilson
State v Brown	12-848	Mecklenburg
State v Lemons	12-913	Duplin
State v Jones	12-992	Johnston
Holloway v CV Industries, Inc., et al	12-868	N.C. Industrial Commission
Nordstrom v Shaw	12-917	Wake
Live, Inc. v Dominos Pizza, LLC, et al	12-930	Vance
Hausle v Hausle	12-967	Pitt

Sent Date: 16 November 2012

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## COURT CALENDAR BY PANEL

Wednesday, 12 December 2012

### PANEL NO. 3

HONORABLE WANDA G. BRYANT  
HONORABLE ANN MARIE CALABRIA  
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 12TH OF DECEMBER 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 Brown	12-708	Wayne
State v Gregory	12-793	Pasquotank
State v Macon	12-812	Orange
State v Davis	12-841	Wake
State v Bellamy	12-890	Iredell
State v Hairston	12-985	Rockingham
Diamond v Charlotte-Mecklenburg County B...	12-690	Mecklenburg
Pinehurst Surgical Clinic, P.A. v DiMich...	12-830	Moore
In The Matter Of: Foster	12-865	Buncombe
Webb, et al v McJas, Inc., et al	12-906	Pitt
Menius v CEI Transportation, Inc., et al	12-929	Cabarrus
FIA Card Services, N.A. v Ashworth	12-958	Union

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## COURT CALENDAR BY PANEL

Thursday, 13 December 2012

### PANEL NO. 5

HONORABLE DONNA STROUD  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 13TH OF DECEMBER 2012** **AT 9:30 a.m.**

King, et al v Bryant, et al

12-918

Cumberland

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 13TH OF DECEMBER 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 Lanford	12-623	Cumberland
State v Logan	12-740	Guilford
State v Hinton	12-796	Pasquotank
State v Johnson	12-827	Johnston
State v Wilkins	12-869	Halifax
State v Anderson	12-928	Graham
Fairway Outdoor Advertising, et al v The...	12-518	Wake
In The Matter Of: J.S.	12-777	Alamance
Antelo v Wal-Mart Associates, Inc., et a...	12-846	N.C. Industrial Commission
Handy Sanitary District v Badin Shores R...	12-873	Montgomery
Mahbuba v Washington	12-949	Forsyth

Sent Date: 16 November 2012

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

## Supplemental Calendar

Monday, 31 December 2012

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **31 DECEMBER 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: N.E.	12-78	Onslow
State v Stevens	12-132	Durham
State v Maberson	12-227	Guilford
State v Hudson	12-294	Pasquotank
State v Herron	12-300	Cleveland
State v Gillis	12-339	Cabarrus
State v Wood	12-355	Surry
State v Parker	12-380	Wake
In The Matter Of: Z.M.L.	12-406	Cumberland
State v McQueen	12-467	Hoke