

# 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, 9 April 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE MARTHA A. GEER  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 9TH OF APRIL 2013 AT 9:30 a.m.**

State v Cooper	12-926	Wake
Tong, et al v Dunn, et al	12-1261	Orange

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 9TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Jones	12-1320	Mecklenburg
State v. Gosnell	12-1328	Caldwell
State v Dickens	12-1353	Alamance
State v Jolly	12-1389	Cleveland
State v Helms	12-1436	Hoke
Tuttle v Tuttle	12-728	Cabarrus
Charlotte Motor Speedway v County of Cab...	12-1361	Cabarrus
Tuttle v Tuttle	12-1437	Cabarrus
County of Durham, ex rel v Roberts	12-1471	Durham
Washburn v Washburn	12-1535	Rutherford

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## COURT CALENDAR BY PANEL

Wednesday, 10 April 2013

### PANEL NO. 3

HONORABLE WANDA G. BRYANT  
HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF APRIL 2013 AT 9:30 a.m.**

Riggings Homeowners, Inc. v Coastal Reso...	12-1299	New Hanover
Tinsley v City of Charlotte	12-1543	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Jordan	12-1264	Mecklenburg
State v Kivett	12-1324	Guilford
State v. Massey	12-1329	Mecklenburg
State v Caldwell	12-1358	Iredell
State v Holliday	12-1401	Pitt
State v Blount	12-1465	Wayne
Richardson v PCS Phosphate Company, Inc....	12-824	N.C. Industrial Commission
In The Matter Of: S.R.H.	12-1363	Wilson
Christie v Hartley Construction, Inc., e...	12-1385	Orange
Good v Omega V, LLC, et al	12-1490	Watauga

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Wednesday, 10 April 2013

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SAM J. ERVIN, IV  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 10TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Nieves and Lemons	12-1277	Guilford
State v Kelly	12-1326	Buncombe
State v Boshers	12-1344	Union
State v Williams	12-1376	Pitt
State v Moreno	12-1402	Randolph
State v Romero	12-1499	Johnston
Ross v Ross	12-1141	Carteret
Rutherford Plantation, LLC v The Challen...	12-1305	Rutherford
Rutherford Plantation, LLC v The Challen...	12-1308	Rutherford
Bryant v AP Industries, et al	12-1456	Catawba
Debaun v Kuszaj, et al	12-1520	Durham
Barker v Barker	12-1551	Avery

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## COURT CALENDAR BY PANEL

Thursday, 11 April 2013

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE SANFORD STEELMAN  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 11TH OF APRIL 2013 AT 9:30 a.m.**

In The Matter Of: Bunch	12-1367	Cleveland
Booth v State	13-2	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 11TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Kirkman	12-1288	Lenoir
State v Ingram	12-1327	Wayne
State v Fuller	12-1351	Mecklenburg
State v Weeks	12-1388	Wayne
State v Rogers	12-1415	Bladen
State v Bell	12-1514	Rutherford
In The Matter Of: Manning	12-1247	Union
Johnson, et al v Forsyth County, et al	12-1339	Forsyth
Jones v Kidde Technologies, Inc., et al	12-1463	N.C. Industrial Commission
Malloy v Preslar, et al	12-1523	Anson

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## COURT CALENDAR BY PANEL

Monday, 22 April 2013

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE WANDA G. BRYANT  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 22ND OF APRIL 2013 AT 1:00 p.m.**

State v McCoy	12-1210	Cumberland
Hammond v Saini, et al	12-1493	Cumberland

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 22ND OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Locklear	12-1348	Robeson
State v Warrick	12-1424	Wilson
State v Blackwell	12-1472	Person
State v Hill	12-1502	Catawba
State v Barrett	12-1530	Union
Washburn v Washburn	12-1364	Onslow
TD Bank, N.A. v McGee	12-1412	Henderson
Edgerton v Oliver	12-1455	Buncombe
Watts v Bell,	12-1553	Iredell
Duke Univ. Health Sys., Inc. v Sparrow	13-12	Durham

Sent Date: 3 April 2013

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## COURT CALENDAR BY PANEL

Tuesday, 23 April 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE LINDA STEPHENS  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 23RD OF APRIL 2013 AT 9:30 a.m.**

Time Warner Entm't Advance/Newhouse P'sh...	13-22	Rowan
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 23RD OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Hunt	12-1242	Mecklenburg
State v Derbyshire	12-1382	Wake
State v Rankins	12-1444	Guilford
State v Smith	12-1477	Person
State v Bajja	12-1515	Gaston
State v Waller	12-1531	Durham
Rogers v Smithson	12-1374	Pitt
Salmony, et al v Bank of America Corpora...	12-1414	Wake
James v Schoonderwoerd, et al	12-1457	Wake
Delancey v Delancey	12-1512	Rockingham
Anderson v Sodexo,	12-1575	N.C. Industrial Commission

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## COURT CALENDAR BY PANEL

Wednesday, 24 April 2013

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE DONNA STROUD  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF APRIL 2013 AT 9:30 a.m.**

State v Peterson	12-1047	Durham
Johns v Welker, et al	12-1154	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v King	12-1275	Mecklenburg
State v Fisher	12-1404	Henderson
State v Grice	12-1448	Mecklenburg
State v Cathcart	12-1478	Forsyth
State v Sammons	12-1522	Buncombe
In The Matter Of The Foreclosure Of: Sha...	12-1380	Wake
Lockhart, et al v Tri-State Housing, Ltd...	12-1418	Scotland
Tate v Loftus	12-1468	N.C. Industrial Commission
Smith, v Lake Bay E., LLC,	12-1541	Bladen
Burnham v S & L Sawmill, Inc.,	12-1581	Mecklenburg

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Wednesday, 24 April 2013

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE SANFORD STEELMAN  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 24TH OF APRIL 2013 AT 1:00 p.m.**

Myers Park Homeowners v City of Charlott...	12-1346	Mecklenburg
Historical Preservation Action Committee...	12-1386	Rockingham
Lockerman, et al v South River Electric ...	12-1450	Sampson

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State v Royal	12-1063	New Hanover
State v Dial	12-1334	Chatham
State v Marino	12-1422	Moore
State v Francis	12-1464	Durham
State v Gamez	12-1488	Wake
State v Smith	12-1527	Person
Anway, et al v Silver Creek Community Pr...	12-1460	Burke
Hess v Hermann-Hess	12-1544	Henderson
Yeager v Yeager	12-1583	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 25 April 2013

### PANEL NO. 5

HONORABLE RICK ELMORE  
HONORABLE MARTHA A. GEER  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 25TH OF APRIL 2013.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Layton	12-1197	Cabarrus
State v Kirkwood & McDaniel	12-1359	Johnston
State v Evans	12-1423	Wake
State v Markham	12-1470	Durham
State v Everette	12-1500	Wake
State v Wiggs	12-1529	Cumberland
Jackson v Cape Fear Turf Farm, Inc.	12-1347	Bladen
McNeill v McNeill, et al	12-1396	N.C. Industrial Commission
Bost Constr. Co. v Blondy,	12-1454	Chatham
Halifax Regional Medical Center, Inc. v ...	12-1480	Duplin
The NC State Bar v Small	12-1545	Disciplinary Hearing Commission
Simmons v Kross Lieberman & Stone, Inc.	13-10	Durham