

# 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, 13 August 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 13TH OF AUGUST 2013 AT 9:30 a.m.**

Naylor Concrete Constr., Co., Inc. v Mid...	13-83	Mecklenburg
Rockford-Cohen Grp., LLC, v NC Dep't of ...	13-124	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 13TH OF AUGUST 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 Holland	12-1447	New Hanover
State v Inman	12-1561	Robeson
State v Smith	13-15	Wake
Irving v Charlotte Mecklenburg Bd. of Ed...	12-1496	N.C. Industrial Commission
Irving v Charlotte-Mecklenburg Bd. Of Ed...	13-34	Mecklenburg
DOT v Ashcroft Commons, LLC,	13-140	Rockingham
Stevens v United States Cold Storage, In...	13-150	N.C. Industrial Commission
Fox, v The City of Greensboro,	13-171	Guilford
Wilkerson v Duke Univ.,	13-181	Durham
Robinson v Discovery Ins. Co.	13-226	Duplin

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## COURT CALENDAR BY PANEL

Wednesday, 14 August 2013

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE MARTHA A. GEER  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF AUGUST 2013**  
**AT 9:30 a.m.**

Johnson v Crossroads Ford, Inc.	13-173	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF AUGUST 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 Goldman	12-1509	Forsyth
State v Bowman	12-1565	Davidson
State v Marlow	13-18	Cleveland
Liberatore v Liberatore	12-1571	Cleveland
Coraldi v Pickett,	13-43	New Hanover
Harvell v Wix Filtration, LLC	13-100	N.C. Industrial Commission
Morgan v Morgan	13-134	Onslow
Stainless Valve Co. v Safefresh Techs., ...	13-144	Union
Owen v Hogsed,	13-157	N.C. Industrial Commission
FSI, Inc. v Andy Newson & Benton & Parke...	13-219	Mecklenburg
FSI, Inc. v Andy Newson & Benton & Parke...	13-222	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 14 August 2013

### PANEL NO. 4

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF AUGUST 2013**  
**AT 1:00 p.m.**

State v Stepp	13-46	Wake
N. Carolina State Bd. of Educ. v N. Caro...	13-179	Wake
Espinosa v Tradesource, Inc.,	13-220	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 14TH OF AUGUST 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 High	12-1549	New Hanover
State v Gaston	13-1	Mecklenburg
Moore, v G & I VI Forest Hills GP, LLC,	13-3	New Hanover
In re: N.J.	13-53	Durham
In re The Foreclosure Of: J & J Wilson, ...	13-112	Wilson
In re: J.C.	13-136	Mecklenburg
Craft v The City Of New Bern	13-148	Craven
Brown v Cavit Sci., Inc.,	13-165	Mecklenburg
Quackenbush v Steelman	13-240	Wake

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## COURT CALENDAR BY PANEL

Thursday, 15 August 2013

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 15TH OF AUGUST 2013 AT 9:30 a.m.**

Bank of Am., N.A. v Rice,	13-180	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 15TH OF AUGUST 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 Blankenship	12-1560	Buncombe
State v Fish	13-11	Lincoln
State v Troxler	13-79	Guilford
In Re: Twin Cnty. Motorsports, Inc.	13-21	Nash
Thompson v Gutierrez,	13-59	Forsyth
Davis v Davis	13-113	Union
Alston v N.C. A & T State Univ.,	13-137	N.C. Industrial Commission
In re: Lawrence Bullock III	13-149	Granville
Powells Med. Facility, v NC Dept. of Hea...	13-166	Sampson
In Re: Jerrys Shell, LLC	13-223	Rowan
Foot Locker, Inc. v Best	13-248	Wake

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## COURT CALENDAR BY PANEL

Monday, 26 August 2013

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE RICK ELMORE  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 26TH OF AUGUST 2013 AT 1:00 p.m.**

Americus Retail Holdings, LLC, v Ball v ...	13-281	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 26TH OF AUGUST 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 Wilson	13-110	Mecklenburg
State v Hall	13-154	Forsyth
State v Garrett	13-206	Craven
State v Williams	13-246	Wilson
State v Call	13-266	Rockingham
State v McKenzie	13-294	Onslow
Ward v Carmona,	13-258	Wake
WRI/Raleigh LP v Richardson,	13-291	Wake
Bhathela v Currie	13-319	Wake
Premiere Auto, L.L.C., v Wachovia Bank, ...	13-328	Cumberland
Okitenbo v Charlotte Mecklenburg Sch.	13-349	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 27 August 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE SANFORD STEELMAN  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 27TH OF AUGUST 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 Weichelt	13-111	Moore
State v Larson	13-163	Guilford
State v Harris	13-212	Guilford
State v Simpson	13-253	Onslow
State v Norris	13-282	Rutherford
State v Locklear	13-301	Robeson
Elizabeth Townes Homeowners Ass'n, Inc.,...	13-262	Mecklenburg
In re: Hendrick	13-284	Cleveland
Vogel v Health Sci. Found., Inc.,	13-303	New Hanover
In Re: Timothy Edward Gordon	13-322	Chatham
Simpson v Sears, Roebuck & Co.,	13-329	Buncombe
Etheridge v Levitsky	13-350	Currituck

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## COURT CALENDAR BY PANEL

Wednesday, 28 August 2013

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE MARTHA A. GEER  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF AUGUST 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 Mott	13-88	Henderson
State v Lalinde	13-115	Pender
State v Garner	13-182	Wayne
State v Miller	13-216	Duplin
State v Lewis	13-254	Johnston
State v Stewart	13-283	Moore
Wash., v Cline,	13-224	Durham
Embark, LLC, v 1105 Media, Inc.	13-263	Mitchell
In re: Radisi	13-285	Iredell
Skanska USA Bldg., Inc. v Blythe Dev. Co...	13-314	Wake
Brown v Town of Chapel Hill,	13-323	Orange
Chaffins v Tar Heel Capital Corp.,	13-332	N.C. Industrial Commission

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Wednesday, 28 August 2013

### PANEL NO. 4

HONORABLE WANDA G. BRYANT  
HONORABLE LINDA STEPHENS  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 28TH OF AUGUST 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 Morris	13-99	Cleveland
State v Villanueva	13-116	Alamance
State v Blackwell	13-196	Robeson
State v Monroe	13-232	Forsyth
State v Carr	13-259	Cumberland
State v Jones	13-286	Buncombe
Berrier, v Carefusion 203, Inc.,	13-251	Guilford
Wells Fargo Equip. Fin., Inc., v Millar,...	13-265	Mecklenburg
Rettig v Rettig	13-287	Cumberland
Guilford Cnty., ex rel v Sutton	13-310	Guilford
In re: Webb	13-324	Mecklenburg
Espinosa v Tradesource, Inc.,	13-466	N.C. Industrial Commission



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## COURT CALENDAR BY PANEL

Thursday, 29 August 2013

### PANEL NO. 5

HONORABLE ANN MARIE CALABRIA  
HONORABLE DONNA STROUD  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 29TH OF AUGUST 2013 AT 9:30 a.m.**

Holmes v Solon Automated Servs.,	13-325	N.C. Industrial Commission
Premier, Inc. v Peterson,	13-344	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 29TH OF AUGUST 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 Meggett	13-107	Wake
State v Tolson	13-121	Mecklenburg
State v Lee	13-205	Onslow
State v Wiggins	13-233	Nash
State v Watkins	13-260	Buncombe
State v Smith	13-293	Duplin
Pace v State of NC	13-252	Henderson
Schmidt v Petty,	13-278	Macon
Krueger v NC Crim. Justice Educ. & Train...	13-288	Wake
Zaldana v Smith,	13-318	N.C. Industrial Commission