

# North Carolina Court of Appeals

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

## Supplemental Calendar

Wednesday, 2 January 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **2 JANUARY 2013** 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 Byrd	12-555	Hoke
State v Taylor	12-652	Rutherford
In The Matter Of: M.J.J.	12-653	Guilford
State v Jacobs	12-696	Robeson
State v Simmons	12-834	Sampson
State v Mullett	12-862	Wilson
State v Hiner	12-881	New Hanover
State v Branch	12-883	McDowell
State v Paul	12-937	Pender
State v Garcia	12-973	Chatham

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 3 January 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **3 JANUARY 2013** 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: E.J.	12-673	Guilford
In The Matter Of: I.G.R.	12-704	Surry
In The Matters Of: F.L.C. and Z.L.C.	12-718	Ashe
In The Matters Of: K.M.N. and S.J.N.	12-762	Burke
In The Matters Of: H.A.B., A.L.C., S.D.C...	12-788	Burke
In Re: D.C.	12-893	New Hanover

# North Carolina Court of Appeals

Court of Appeals Building  
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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.

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## COURT CALENDAR BY PANEL

Monday, 7 January 2013

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE SAM J. ERVIN, IV  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 7TH OF JANUARY 2013 AT 1:00 p.m.**

Wind v The City of Gastonia	12-421	Gaston
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 7TH OF JANUARY 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 Snipes	12-542	Chatham
State v Dew	12-642	Cleveland
State v Howard	12-687	Mecklenburg
Grist v Smith	12-488	Buncombe
Redd v Wilcohes, L.L.C., et al	12-639	Forsyth
Woodring v Woodring	12-679	Henderson
Bynum v Wilson County, et al	12-779	Wilson
Russell v N.C. Department of Environment...	12-801	N.C. Industrial Commission
Sadler v Scott Lowery Law Office, P.C., ...	12-825	Cumberland
Crowell v Davis, et al	12-859	Buncombe
Charles Schwab And Company, Inc. v McEnt...	12-897	Mecklenburg

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## COURT CALENDAR BY PANEL

Tuesday, 8 January 2013

### PANEL NO. 2

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

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 8TH OF JANUARY 2013 AT 9:30 a.m.**

Beason v NC Department Of The Secretary ...	12-837	Wake
Beason v NC Department Of The Secretary ...	12-838	Wake
Beason v NC Department Of The Secretary ...	12-874	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF JANUARY 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 Cook	12-519	Guilford
State v Gaffney	12-707	Mecklenburg
State v Wilson	12-819	Buncombe
Beck v Beck, et al	12-685	New Hanover
Carolina Coast And Lakes, Inc. v The Sho...	12-998	Perquimans
Hairston v Collins	12-1016	Forsyth
Otto v Certo	12-1028	Madison
Highsmith v Clark	12-1041	Sampson
In The Matter Of: S.D.	12-1052	Bertie

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## COURT CALENDAR BY PANEL

Wednesday, 9 January 2013

### PANEL NO. 3

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

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

Reo Properties Corporation, etal v Ronda...	12-860	Davidson
Warrender v Gull Harbor Yacht Club, Inc.	12-1038	Carteret

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF JANUARY 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 Baltazar	12-644	Wake
State v Parker	12-754	Sampson
State v Davis	12-833	Beaufort
O'Neal v. O'Neal	12-715	Pitt
Taft, et al v Dickman, et al	12-943	Polk
Embrace Us, Inc. v The Guilford Center F...	12-970	Guilford
The State Health Plan v Barnett, et al	12-999	McDowell
Booe v Booe	12-1019	Cabarrus
Gray v United Parcel Services, Inc., et ...	12-1029	N.C. Industrial Commission
Hedgepeth v Lexington State Bank, et al	12-1057	Davidson

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## COURT CALENDAR BY PANEL

Wednesday, 9 January 2013

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE LINDA STEPHENS  
HONORABLE DOUGLAS MCCULLOUGH

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF JANUARY 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 Thomas	12-667	Mecklenburg
State v Martin	12-795	Mecklenburg
State v Hogan	12-835	Robeson
Fairbrother v Mann	12-780	Pitt
Williard v Williard	12-931	Davidson
Foreclosure of: Perry	12-944	Durham
Johnson v Johnson	12-977	Currituck
Arrow v Pine Lake Preparatory, Inc., et ...	12-1004	Iredell
Richmond County Board of Education v Cow...	12-1022	Wake
Manning v Anagnost	12-1030	New Hanover
Arbona v Williams, et al	12-1048	Wake
Wells Fargo Bank, N.A. v Arlington Hills...	12-1060	Mecklenburg

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## COURT CALENDAR BY PANEL

Thursday, 10 January 2013

### 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, 10TH OF JANUARY 2013 AT 9:30 a.m.**

In The Matter Of: Blue Ridge Housing of ...	12-941	Property Tax Commission
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF JANUARY 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 Boone	12-675	Davidson
State v Klinger	12-798	Avery
State v Franklin	12-851	Person
Carpenter v Carpenter	12-820	Catawba
Williams v Bank of America, et al	12-965	N.C. Industrial Commission
Hillsboro Partners, LLC v The City of Fa...	12-987	Cumberland
Bell v The Goodyear Tire & Rubber Compan...	12-1009	N.C. Industrial Commission
Joines v Moffitt	12-1027	Alexander
White, et al v Northwest Property Group-...	12-1037	Henderson
Hankins v Bartlett	12-1051	Catawba
In The Matter Of: Parkdale Mills and Par...	12-1078	Property Tax Commission

Sent Date: 11 December 2012

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Monday, 28 January 2013

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE LINDA M. MCGEE  
HONORABLE ANN MARIE CALABRIA

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF JANUARY 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 Lucas	12-710	Warren
State v Mills	12-855	Pitt
State v Wicks	12-912	Buncombe
State v Wright and Smith	12-938	Pamlico
State v Wilson	12-954	Mecklenburg
State v McLaurin	12-980	Cumberland
Brodie v Excel Staffing Services, et al	12-885	N.C. Industrial Commission
Lawing v Lawing	12-982	Iredell
Bledsoe v Bledsoe	12-1043	New Hanover
In The Matter Of: J.Z.B., C.J.B., and S....	12-727	New Hanover
In Re: S.S., G.L.S., V.S., A.S., F.S., C...	12-896	Anson
In Re: J.E.	12-978	Columbus

Sent Date: 7 January 2013



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## COURT CALENDAR BY PANEL

Tuesday, 29 January 2013

### PANEL NO. 2

HONORABLE ROBERT C. HUNTER  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE MARK A. DAVIS

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

Phelps Staffing, LLC v C.T. Phelps, Inc....	12-886	Franklin
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF JANUARY 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 Noble	12-734	Transylvania
State v Ellis	12-861	Harnett
State v Hadden	12-922	Gaston
State v McLeod	12-939	Wake
State v Burroughs	12-955	Mecklenburg
State v Claros	12-994	Mecklenburg
Congdon v Congdon	12-988	Pitt
Moore v Moore	12-1058	Mecklenburg
In The Matter Of: A.P.W., A.K.W., N.R.W.	12-807	Guilford
In The Matter Of: T.R.T.	12-905	New Hanover
In The Matter Of: S.A.C.	12-989	New Hanover

Sent Date: 7 January 2013

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## 3.1 Calendar

Tuesday, 29 January 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **29 JANUARY 2013** 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 Matters Of: J.N.S., A.L.M., J.N.S...	12-1021	Guilford
In The Matter Of: G.P.	12-1070	Cumberland
In The Matter Of: L.H.T.	12-1073	Brunswick
In The Matter Of: S.S., H.S., T.D.	12-1112	Bladen
In The Matter Of: B.S.	12-1164	Buncombe
In The Matter Of: J.M.D.R.	12-1235	Iredell

Sent Date: 8 January 2013

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## COURT CALENDAR BY PANEL

Wednesday, 30 January 2013

### PANEL NO. 3

HONORABLE WANDA G. BRYANT  
HONORABLE RICK ELMORE  
HONORABLE SAM J. ERVIN, IV

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 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 Warren	12-811	Buncombe
State v Thomas	12-891	Alamance
State v Hernandez	12-924	Buncombe
State v Coleman	12-946	Mecklenburg
State v Leach	12-962	Cabarrus
State v. Davis	12-1131	Buncombe
Allen v Allen	12-956	Rowan
Hickory Mountain Farms, LLC, et al v Van...	12-1000	Forsyth
Williams v CW Peters, LLC, et al	12-1079	New Hanover
In The Matter Of: H.N.H. and K.V.H.	12-857	Yancey
In Re: B.C.V.	12-914	Cabarrus
In The Matter Of: F.M. and T.M.	12-1032	Mecklenburg

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## COURT CALENDAR BY PANEL

Wednesday, 30 January 2013

### PANEL NO. 4

HONORABLE SANFORD STEELMAN  
HONORABLE MARTHA A. GEER  
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF JANUARY 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 Nay	12-817	Guilford
State v Chisholm	12-901	Mecklenburg
State v Johnson	12-932	Johnston
State v Williams	12-947	Wake
State v Cruz Garcia	12-972	Mecklenburg
State v Howard	12-996	Cabarrus
Jordans Construction, Inc. v Forest Spri...	12-904	Wake
Barbee v Transit Management Of Charlotte...	12-1001	Mecklenburg
Reeder v Carter	12-1084	Randolph
In The Matter Of: S.J.	12-877	Robeson
In Re: L.N.J.	12-920	Bertie
In The Matter Of: A.N.R. and L.T.M.	12-1042	Wake

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## COURT CALENDAR BY PANEL

Thursday, 31 January 2013

### PANEL NO. 5

HONORABLE LINDA STEPHENS  
HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 31ST OF JANUARY 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 Parker	12-836	Guilford
State v Cook	12-902	Mecklenburg
State v Haith	12-933	Guilford
State v Gross	12-951	Buncombe
State v Renkosiak	12-975	Dare
State v Heavner	12-1005	Lincoln
Wofford v Cook	12-966	Buncombe
Yingling v Bank of America, et al	12-1031	N.C. Industrial Commission
Jackson v Tim Maguire, Inc., et al	12-1098	New Hanover
In The Matter Of: B.S.O., V.S.O., R.S.O....	12-878	Mecklenburg
In The Matter Of: T.J.C., K.K.C., B.N.C.	12-927	Rockingham
In The Matter Of: T.F. and N.S.	12-1082	Warren

Sent Date: 7 January 2013