

# North Carolina Court of Appeals

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

## Supplemental Calendar

Monday, 7 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **7 OCTOBER 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 Patterson	13-114	Avery
State v Lukowitsch	13-133	Mecklenburg
State v Adams	13-153	Durham
State v McDonald	13-210	Sampson
Smith v Parker	13-269	Mecklenburg
State v Lewis	13-309	Forsyth
Ellis v Ellis	13-351	Durham
State v Barnes	13-354	Wake
State v Barnes	13-417	Wayne
State v Thompson	13-438	Bladen

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## COURT CALENDAR BY PANEL

Tuesday, 8 October 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE CHRIS DILLON

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

Elliott, v KB Home N. Carolina, Inc.,	13-352	Wake
Hinson v City of Greensboro,	13-404	Guilford
Clements v. Clements	13-596	New Hanover

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 8TH OF OCTOBER 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 Matthews	13-277	Mecklenburg
State v Johnson	13-382	Wake
State v Eddings	13-474	Buncombe
State v Martinez	13-492	Onslow
State v Brennick	13-627	Brunswick
State v Tucker	13-722	Wake
Burgess v Dorton	13-509	Union
Yeager v Yeager	13-542	Mecklenburg
Greer State Bank v Evans	13-560	Jackson

Sent Date: 13 September 2013

# North Carolina Court of Appeals

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

## 3.1 Calendar

Tuesday, 8 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **8 OCTOBER 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 Re: A.S.B.	13-400	Mecklenburg
In re: T.H., T.H., A.S., J.S., M.W., A.W...	13-433	Rowan
In re: C.M.	13-546	Robeson
In Re: S.E.W.	13-582	Wake
In re: E.G.M.	13-584	Jackson
In re: M.M.	13-600	Cumberland

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## COURT CALENDAR BY PANEL

Wednesday, 9 October 2013

### PANEL NO. 3

HONORABLE ROBERT C. HUNTER  
HONORABLE WANDA G. BRYANT  
HONORABLE SANFORD STEELMAN

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

McMillan, v Ryan Jackson Props., LLC,	13-270	Guilford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF OCTOBER 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 Quick	13-289	Guilford
State v Rumley	13-408	Rockingham
State v Northington	13-475	Onslow
State v Smathers	13-496	Transylvania
State v Bryan	13-520	Forsyth
State v Hart	13-558	Mecklenburg
Frazier v Carolina Coastal Ry., Inc.,	13-426	Wake
Thornton v City of Raleigh,	13-533	N.C. Industrial Commission
Joyner, v Joyner,	13-545	Lenoir
Hedgepeth v Winston-Salem State Univ.,	13-577	Forsyth
Viking Utils. Corp., Inc., v Onslow Wate...	13-597	Onslow

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## COURT CALENDAR BY PANEL

Wednesday, 9 October 2013

### PANEL NO. 4

HONORABLE ANN MARIE CALABRIA  
HONORABLE RICK ELMORE  
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF OCTOBER 2013**  
**AT 1:00 p.m.**

Holly Springs Hosp. v N.C. Dep't of Heal...	13-367	N.C. Dept. of Health & Human Svcs
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 9TH OF OCTOBER 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 McGrady	13-330	Wilkes
State v Alston	13-462	Chatham
State v Harris	13-479	Wayne
State v Best	13-498	Buncombe
State v Rayfield	13-531	Gaston
State v Clark	13-561	Nash
Stephens v Covington	13-431	New Hanover
Barnes v Hendrick Auto.,	13-537	N.C. Industrial Commission
James B. Taylor Fam. Ltd. P'ship, v Bank...	13-550	Caldwell
Gentry v Miller	13-581	Durham
Jeffreys Leasing Co. v Gillani	13-598	Wayne

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## COURT CALENDAR BY PANEL

Thursday, 10 October 2013

### PANEL NO. 5

HONORABLE ROBERT N. HUNTER, JR.  
HONORABLE SAM J. ERVIN, IV  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 10TH OF OCTOBER 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 Minyard	13-377	Burke
State v McCulloch	13-472	Wilkes
State v Watlington	13-480	Rockingham
State v Robinson	13-500	Robeson
State v Vazquez	13-556	Mecklenburg
State v Banner	13-563	Mecklenburg
Halstead v Plymale, ex rel	13-375	Union
Friedman v Bank of Am., N.A.,	13-483	Iredell
In re: J.L.	13-539	Orange
I.B.S.A., Inc. v Builder's Supply Inc.,	13-552	Johnston
Patterson v Univ. Ford, Inc.	13-585	Durham
Nannys Korner Care Ctr., v NC Dep't of H...	13-602	Wake

Sent Date: 13 September 2013

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 14 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **14 OCTOBER 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 El	13-295	Wake
State v Rich	13-299	Haywood
State v Autery	13-348	Guilford
Walker v N.C. Dep't Of Corr.	13-476	N.C. Industrial Commission
Walker v N.C. Dep't Of Corr.	13-477	N.C. Industrial Commission
State v Strickland	13-484	Robeson
State v Boykin	13-487	Sampson
State v McMillan	13-527	Alleghany

# North Carolina Court of Appeals

Court of Appeals Building  
One West Morgan Street  
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## 3.1 Calendar

Tuesday, 15 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **15 OCTOBER 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 Re: K.R.G.	13-505	Union
In re: J.N.M. & A.M.M.	13-567	Catawba
In re: B.O. & C.O.	13-568	Orange
In Re: B.G.A.S., J.J.J.Z.Z.W., K.J.G.W.,...	13-583	Wilson
In re: S.R.	13-644	Lincoln
In re: S.J.S.	13-682	Burke



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## COURT CALENDAR BY PANEL

Monday, 21 October 2013

### PANEL NO. 1

HONORABLE JOHN C. MARTIN  
HONORABLE SANFORD STEELMAN  
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 21ST OF OCTOBER 2013 AT 1:00 p.m.**

Weaver Inv. Co., v Pressly Dev. Assocs.,...	13-624	Guilford
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 21ST OF OCTOBER 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	13-215	Orange
State v McRae	13-422	Robeson
State v Layseca	13-519	Onslow
State v Holloman	13-559	Wake
State v Moir	13-589	Catawba
State v Rodelo	13-609	Randolph
Hollifield v Commc'ns Installations Spec...	13-378	N.C. Industrial Commission
Perry v Craddock,	13-510	Dare
Carteret Cnty. o/b/o Kendall v Kendall	13-603	Carteret
MacMillan v Thompson,	13-611	Forsyth
Bland, v Mills,	13-628	Cabarrus

Sent Date: 26 September 2013

# North Carolina Court of Appeals

Court of Appeals Building  
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## Supplemental Calendar

Monday, 21 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **21 OCTOBER 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 Ownbey	13-407	Cherokee
State v Bryant	13-440	Cleveland
State v Bradley	13-524	Iredell
State v Shackelford	13-548	Edgecombe
State v Lewis	13-555	Craven
State v Carver	13-592	Buncombe

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## COURT CALENDAR BY PANEL

Tuesday, 22 October 2013

### PANEL NO. 2

HONORABLE LINDA M. MCGEE  
HONORABLE WANDA G. BRYANT  
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 22ND OF OCTOBER 2013 AT 9:30 a.m.**

Wetherington v N.C. Dep't of Crime Contr...	13-405	Wake
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 22ND OF OCTOBER 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 Rossi	13-361	Craven
State v Sargent	13-482	Watauga
State v Lawson	13-529	Cumberland
State v Goodwin	13-569	Johnston
State v Harrell	13-591	Stokes
State v Hatcher	13-632	Edgecombe
In re: McLean	13-513	Gaston
In re: E.L.F.	13-604	Wilkes
NC Farm Bureau Mut. Ins. Co., Inc. v Pas...	13-615	Wake
Reeger Builders, Inc., v J.C. Demo Ins. ...	13-622	Gaston
Hennessey v Duckworth	13-629	Cumberland

Sent Date: 26 September 2013

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## COURT CALENDAR BY PANEL

Wednesday, 23 October 2013

### 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, 23RD OF OCTOBER 2013** **AT 9:30 a.m.**

State v Young	13-646	Buncombe
Mount Ulla Hist. Pres. Soc'y, Inc., v Ro...	13-447	Rowan

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF OCTOBER 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 Dye	13-366	Mecklenburg
State v Bridges	13-493	Wake
State v Pugh	13-536	Randolph
State v Euston	13-576	Moore
State v Skeens	13-595	Burke
Shope v Pennington	13-525	Lee
Strickland v Goetz	13-605	Pitt
Burns v Union Cnty. Bd. Of Educ.	13-616	N.C. Industrial Commission
In re: 109 Kinsale Land Tr.	13-623	Property Tax Commission
Nationwide Mut. Ins. Co., Inc. v Integon...	13-640	Wake

Sent Date: 26 September 2013

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## COURT CALENDAR BY PANEL

Wednesday, 23 October 2013

### PANEL NO. 4

HONORABLE RICK ELMORE  
HONORABLE DOUGLAS MCCULLOUGH  
HONORABLE MARK A. DAVIS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF OCTOBER 2013 AT 1:00 p.m.**

State v Weaver	13-578	New Hanover
Charter Day Sch., Inc. v The New Hanover...	13-488	New Hanover
Ne. Raleigh Charter Acad., Inc. v Wake C...	13-697	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 23RD OF OCTOBER 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 Martin	13-374	Catawba
State v White	13-494	Anson
State v Cousin	13-543	Caswell
State v Gudac	13-606	Johnston
State v Sparks	13-659	Rockingham
Herring v Herring	13-544	Cabarrus
Auto. Grp., LLC v A-1 Auto Charlotte, LL...	13-608	Mecklenburg
Mills v Triangle Yellow Transit,	13-617	N.C. Industrial Commission
Duplin Cnty. DSS ex rel Pulley v Frazier	13-619	Duplin

Sent Date: 26 September 2013

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## COURT CALENDAR BY PANEL

Thursday, 24 October 2013

### PANEL NO. 5

HONORABLE MARTHA A. GEER  
HONORABLE LINDA STEPHENS  
HONORABLE SAM J. ERVIN, IV

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

State v Alston	13-429	Chatham
LexisNexis Risk Data Mgmt., Inc., v NC A...	13-547	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 24TH OF OCTOBER 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 Brown	13-501	Greene
State v Howie	13-553	Union
State v Alexander	13-580	Mecklenburg
State v Council	13-607	Wayne
State v Allah	13-667	Forsyth
Ingle v Ingle	13-453	Catawba
In re: A.F.	13-610	Mecklenburg
King, v Pender Cnty.,	13-618	Pender
King, v Orr,	13-621	Pender
In re: A.D.	13-641	Mecklenburg

# North Carolina Court of Appeals

Court of Appeals Building  
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Raleigh, North Carolina 27601

## 3.1 Calendar

Monday, 28 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **28 OCTOBER 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 re: J.B.W. & B.N.W.	13-445	Guilford
In re: A.N.V. & O.N.V.	13-572	Wake
In re: R.C., O.T.G., M.N.G.	13-683	Wake
In Re: T.J.F.	13-707	Cumberland
In re: T.F. & N.S.	13-731	Warren
In re: M.R. & M.R.	13-737	Granville

# North Carolina Court of Appeals

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Raleigh, North Carolina 27601

## Supplemental Calendar

Tuesday, 29 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **29 OCTOBER 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 Hill	13-106	Catawba
State v Maske	13-120	Mecklenburg
State v Moody	13-122	Brunswick
State v Glaspie	13-123	Wayne
State v Addison	13-145	Cleveland
State v Eggleston	13-185	Mecklenburg
State v Yelverton	13-211	Wayne
State v Rankin	13-234	Iredell
State v Merrell	13-244	Forsyth
State v Caldwell	13-272	Wilkes

Sent Date: 3 October 2013



# North Carolina Court of Appeals

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

## 3.1 Calendar

Wednesday, 30 October 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **30 OCTOBER 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 re: T.R.C.	13-508	Guilford
In Re: A.D.N.	13-709	Carteret
In re: K.C. & L.C.	13-738	Durham
In re: D.M.R.	13-789	Dare
In re: D.P.W.	13-806	Dare
In re: L.G. & R.G.	13-875	Burke