

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.

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COURT CALENDAR BY PANEL

Monday, 4 November 2013

PANEL NO. 1

HONORABLE JOHN C. MARTIN
HONORABLE SANFORD STEELMAN
HONORABLE CHRIS DILLON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 4TH OF NOVEMBER 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 Peay | 13-579 | Mecklenburg |
| State v Jones | 13-676 | Robeson |
| State v Lipford | 13-708 | Caldwell |
| HomeTrust Bank v Green | 13-511 | Buncombe |
| Clark v Clark | 13-612 | Montgomery |
| Muckle v Dolgencorp, LLC | 13-653 | N.C. Industrial Commission |
| Bombria v Lowes Home Ctrs., Inc. | 13-680 | Iredell |
| Blair Invs., LLC v Roanoke Rapids City C... | 13-690 | Halifax |
| Valladares v Tech Electric Corp., | 13-705 | N.C. Industrial Commission |

North Carolina Court of Appeals

Court of Appeals Building
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Supplemental Calendar

Monday, 4 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **4 NOVEMBER 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 Streater | 13-338 | Forsyth |
| In re: M.F. | 13-432 | Mecklenburg |
| McRavion v N.C. Dep't Of Corr. | 13-467 | N.C. Industrial Commission |
| State v Samolinski | 13-485 | Surry |
| State v Wigfall | 13-523 | Caswell |
| State v Nunn | 13-528 | Guilford |
| State v Church | 13-557 | Wilkes |
| State v Nicholas | 13-613 | Onslow |

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COURT CALENDAR BY PANEL

Tuesday, 5 November 2013

PANEL NO. 2

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 5TH OF NOVEMBER 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 Gosnell | 13-614 | Buncombe |
| State v Davis | 13-677 | Craven |
| State v Elder | 13-710 | Mecklenburg |
| In re: A.N.B. | 13-554 | Moore |
| The NC State Bar v Burford | 13-647 | Disciplinary Hearing Commission |
| Skipper v Wayne Oil Co., Inc. | 13-657 | Wayne |
| Fed. Point Yacht Club Ass'n, Inc. v Moor... | 13-681 | New Hanover |
| Lawyers Mut. Liab. Ins. Co. v Mako, | 13-691 | Wake |
| Parsons v Parsons | 13-714 | Mecklenburg |

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COURT CALENDAR BY PANEL

Wednesday, 6 November 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, 6TH OF NOVEMBER 2013**
AT 1:00 p.m.

| | | |
|---|--------|---------------------------|
| In re: In re: Duke Energy Corp. & Progre... | 13-566 | N.C. Utilities Commission |
|---|--------|---------------------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF NOVEMBER 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 Givens | 13-465 | Mecklenburg |
| State v Gatewood | 13-669 | Anson |
| State v Taft | 13-698 | Cumberland |
| Morningstar Marinas/Eaton Ferry, LLC v W... | 13-458 | Warren |
| Allsbrook v Ill. Tool Works/Wilsonart | 13-651 | N.C. Industrial Commission |
| Gust v The NC Dept. of Revenue | 13-673 | Cleveland |
| Gary v Bright | 13-687 | Rutherford |
| Harrison-Floyd v Floyd | 13-700 | Pitt |

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COURT CALENDAR BY PANEL

Wednesday, 6 November 2013

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 6TH OF NOVEMBER 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 Johnson | 13-428 | Johnston |
| State v Avent | 13-665 | Edgecombe |
| State v McLean | 13-693 | Guilford |
| New Dominion Bank v Johnston | 13-587 | Gaston |
| Veneris v Domtar Paper Co., LLC, | 13-649 | N.C. Industrial Commission |
| DeCesare v Island Games, LLC, | 13-670 | Rowan |
| Duke Energy Carolinas, LLC v Bruton Cabl... | 13-686 | Randolph |
| Capital Bank, N.A. v Cameron, | 13-696 | Wake |

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COURT CALENDAR BY PANEL

Thursday, 7 November 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, 7TH OF NOVEMBER 2013**
AT 9:30 a.m.

| | | |
|---|--------|----------------------------|
| Rolan, v N.C. Dep't Of Agric. & Consumer... | 13-601 | N.C. Industrial Commission |
| Tobe-Williams v New Hanover Cnty. Bd. Of... | 13-679 | New Hanover |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 7TH OF NOVEMBER 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 | 13-562 | Columbus |
| State v Mulder | 13-672 | Lee |
| State v Call | 13-706 | Rowan |
| Tyll v Berry | 13-512 | Orange |
| Armstrong v Velasquez | 13-652 | Wayne |
| Judge v N.C. Dep't Of Pub. Safety | 13-688 | N.C. Industrial Commission |
| Exum v Exum | 13-704 | Wake |

North Carolina Court of Appeals

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Supplemental Calendar

Monday, 18 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **18 NOVEMBER 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 Brincefield | 13-434 | Alamance |
| State v Bullock | 13-514 | Durham |
| State v Powell | 13-593 | Hertford |
| State v Grubb | 13-625 | Lee |
| State v Roundtree | 13-633 | Halifax |
| State v Compel | 13-730 | Granville |
| State v Albright | 13-763 | Alamance |
| State v Cheek | 13-783 | Guilford |
| State v Neal | 13-800 | Rockingham |
| State v Mills | 13-867 | Mecklenburg |

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COURT CALENDAR BY PANEL

Tuesday, 19 November 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, 19TH OF NOVEMBER 2013 AT 9:30 a.m.**

| | | |
|-------------------------------|--------|------|
| Wake Cnty., v Hotels.com, LP, | 13-594 | Wake |
|-------------------------------|--------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 19TH OF NOVEMBER 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 Harling | 13-575 | Mecklenburg |
| State v Brooks | 13-663 | Wake |
| State v Blalock | 13-712 | Stokes |
| State v Denning | 13-724 | Wake |
| State v Sanders | 13-750 | Beaufort |
| State v Lee | 13-775 | Sampson |
| Wood v Nunnery | 13-713 | Forsyth |
| Beard v WakeMed, | 13-723 | N.C. Industrial Commission |
| Loosvelt v Brown | 13-747 | Mecklenburg |
| Fields v Harnett Cnty. | 13-761 | N.C. Industrial Commission |
| Anderson, v Seascape At Holden Plantatio... | 13-799 | Brunswick |

Sent Date: 25 October 2013

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COURT CALENDAR BY PANEL

Wednesday, 20 November 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, 20TH OF NOVEMBER 2013 AT 1:00 p.m.**

| | | |
|-------------------------|--------|----------|
| City of Asheville v Aly | 13-720 | Buncombe |
|-------------------------|--------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF NOVEMBER 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 Snelling | 13-518 | Wake |
| State v Tabron | 13-634 | Edgecombe |
| State v Barnhill | 13-678 | Randolph |
| State v Paul | 13-717 | Pender |
| State v Lineberger | 13-733 | Catawba |
| State v Beck | 13-764 | Mecklenburg |
| In re: Thompson | 13-564 | Forsyth |
| Brissett, v First Mount Vernon Indus. Lo... | 13-685 | Craven |
| Bethea v US Airways, Inc., | 13-740 | N.C. Industrial Commission |
| In re: Pace/Dowd Props. Ltd. | 13-759 | Property Tax Commission |
| In Re: Jemsek | 13-801 | Wake |

Sent Date: 25 October 2013

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COURT CALENDAR BY PANEL

Wednesday, 20 November 2013

PANEL NO. 3

HONORABLE ROBERT C. HUNTER
HONORABLE ANN MARIE CALABRIA
HONORABLE ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 20TH OF NOVEMBER 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 Mills | 13-590 | Buncombe |
| State v Haggins | 13-671 | Catawba |
| State v Mahoney | 13-716 | Hoke |
| State v Hall | 13-729 | Lincoln |
| State v Macmoran | 13-758 | Mecklenburg |
| State v Bullard | 13-794 | Robeson |
| J.T. Russell & Sons, Inc. v Silver Birch... | 13-662 | Stanly |
| Rabun Cnty. Bank v Highlands Land Holdin... | 13-718 | Jackson |
| Dewitt v Dewitt | 13-728 | Transylvania |
| Livingston v Bakewell, | 13-748 | Wake |
| Citibank, S. Dakota, N.A. v Gable | 13-780 | Wayne |
| Brownstead v Brownstead | 13-815 | Mecklenburg |

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COURT CALENDAR BY PANEL

Thursday, 21 November 2013

PANEL NO. 5

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

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 21ST OF NOVEMBER 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 Rayfield | 13-549 | Gaston |
| State v Mitchell | 13-645 | Columbus |
| State v Farris | 13-702 | Burke |
| State v Cottrell | 13-721 | Forsyth |
| State v Smith | 13-742 | Cabarrus |
| State v Pittman | 13-765 | Halifax |
| In re: A.F. | 13-565 | Mecklenburg |
| Marshall, v Marshall | 13-689 | Mecklenburg |
| Marshall, v Marshall | 13-692 | Mecklenburg |
| Brigman v Mcfetridge | 13-741 | Cumberland |
| Philadelphus Presbyterian Found., Inc., ... | 13-777 | Robeson |
| MDT Pers., LLC v APH Contractors, Inc., | 13-802 | Guilford |

North Carolina Court of Appeals

Court of Appeals Building
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3.1 Calendar

Monday, 25 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **25 NOVEMBER 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: C.A.S. | 13-571 | Nash |
| In re: C.T.L., C.T.L. Jr., Z.J.J., Z.T.L... | 13-574 | Guilford |
| In re: J.A.R. | 13-636 | New Hanover |
| In re: S.A. | 13-675 | Greene |
| In Re: S., A Minor Juv. | 13-751 | Wilkes |
| In re: T.V.C.D. | 13-861 | Rowan |