

# 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

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## Supplemental Calendar

Monday, 4 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **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

Sent Date: 4 October 2013

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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
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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

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## Supplemental Calendar

Monday, 18 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **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
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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 Seascope 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
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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

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## 3.1 Calendar

Monday, 25 November 2013

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **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