

# 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 are scheduled to be heard in person unless otherwise noted. The Court may consider hearing oral arguments via Webex upon request of a party. See N.C.G.S. 7A-49.6(a), (d). If a party intends to request a Webex hearing, the party should consult with opposing counsel and make the request promptly. 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

Tuesday, 1 November 2022

### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE TOBIAS HAMPSON  
HONORABLE DARREN JACKSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 1ST OF NOVEMBER 2022 AT 9:30 a.m.**

In re: B.M.T.

22-377

Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 1ST OF NOVEMBER 2022.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |              |
|---|--------|--------------|
| State v. Walters                            | 22-291 | Watauga      |
| State v. Walker                             | 22-338 | Cleveland    |
| State v. Chunn                              | 22-486 | Rowan        |
| Paxton v. Owen                              | 22-186 | Transylvania |
| Equestrian Lakes, LLC v. N.C. Dep't of T... | 22-321 | Moore        |
| McLendon Hills Equestrian Ctr., LLC v. N... | 22-322 | Moore        |
| Frazier v. Frazier                          | 22-438 | Nash         |
| Rollings v. Shelton                         | 22-523 | Carteret     |

Sent Date: 4 October 2022

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 1 November 2022

### PANEL NO. 2

HONORABLE CHRIS DILLON  
HONORABLE RICHARD DIETZ  
HONORABLE LUCY N. INMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 1ST OF NOVEMBER 2022 AT 2:00 p.m.**

|                  |        |         |
|------------------|--------|---------|
| State v. Wilkins | 22-339 | Caswell |
|------------------|--------|---------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 1ST OF NOVEMBER 2022.** 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                    | 22-128 | Wilkes                     |
| State v. Griffin                    | 22-502 | Wayne                      |
| Koenig v. Koenig                    | 22-282 | Pitt                       |
| High v. Wake Chapel Church, Inc.    | 22-358 | Wake                       |
| Graeff v. Graeff                    | 22-406 | Cabarrus                   |
| Gomez v. Alvarez-Gomez              | 22-474 | Sampson                    |
| Watson v. N.C. Dep't of Pub. Safety | 22-538 | N.C. Industrial Commission |

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## COURT CALENDAR BY PANEL

Wednesday, 2 November 2022

### PANEL NO. 3

HONORABLE VALERIE J. ZACHARY  
HONORABLE JOHN ARROWOOD  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 2022**  
**AT 9:30 a.m.**

Davis v. Woods

22-478

Cabarrus

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Minton

22-306

Catawba

State v. Hightower

22-346

Forsyth

State v. Thomas

22-513

Pitt

Hwang v. Cairns

22-31

Durham

Barham v. Barham

22-340

Buncombe

Willis v. N.C. Dep't of State Treasurer

22-373

Chowan

Bassiri v. Pilling

22-411

Wake

Haidar v. Moore

22-543

Durham

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## COURT CALENDAR BY PANEL

Wednesday, 2 November 2022

### PANEL NO. 4

HONORABLE JOHN M. TYSON  
HONORABLE HUNTER MURPHY  
HONORABLE APRIL C. WOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 2022** **AT 2:00 p.m.**

|   |        |          |
|---|--------|----------|
| Devalle v. N.C. Sheriffs' Educ. & Traini... | 22-256 | Columbus |
|---|--------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|                                |        |            |
|--------------------------------|--------|------------|
| State v. Fabian                | 22-52  | Vance      |
| State v. Banks                 | 22-317 | Yancey     |
| State v. Morefield             | 22-470 | Cleveland  |
| Dellinger v. Zimmerman         | 22-93  | Iredell    |
| Guerra v. Harbor Freight Tools | 22-351 | Guilford   |
| Monroe v. Knowings             | 22-398 | Moore      |
| Mertens v. Batchelor           | 22-412 | Cumberland |
| Hinman v. Cornett              | 22-481 | Forsyth    |

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## COURT CALENDAR BY PANEL

Tuesday, 15 November 2022

PANEL NO. 1  
HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE FRED GORE

**NOTE: Judge Tobias Hampson will sit for Judge Fred Gore in COA#22-421.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 2022 AT 9:30 a.m.**

Sturdivant v. N.C. Dep't of Pub. Safety

22-421

N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Cuthbertson

22-92

Rowan

State v. Williams

22-395

Buncombe

State v. Ruff

22-485

Polk

Knechtges v. N.C. Dep't of Pub. Safety

22-213

Office of Admin. Hearings

In re: Custodial L. Enforcement Agency R...

22-399

Orange

Jordan Consultants, ASLA, P.A. v. Trinit...

22-458

Guilford

Clark v. Gillespie

22-535

Chatham

Young v. City of Durham

22-578

Durham

Sent Date: 17 October 2022

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## COURT CALENDAR BY PANEL

Tuesday, 15 November 2022

### PANEL NO. 2

HONORABLE LUCY N. INMAN  
HONORABLE JOHN ARROWOOD  
HONORABLE JEFF CARPENTER

**NOTE: Judge Hunter Murphy will sit for Judge Lucy Inman in COA#22-414.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 2022 AT 2:00 p.m.**

|                    |        |          |
|--------------------|--------|----------|
| State v. Massey    | 22-414 | Johnston |
| Dillree v. Dillree | 22-423 | Moore    |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 15TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |                            |
|---|--------|----------------------------|
| State v. Lipscomb                           | 22-311 | Cleveland                  |
| State v. Brown                              | 22-492 | Rockingham                 |
| WFP, LLC v. Rehab Builders, Inc.            | 22-331 | Durham                     |
| Chance v. Fairfield Inn & Suites By Marr... | 22-449 | Cumberland                 |
| In re: C.H.                                 | 22-476 | Durham                     |
| DGH Mgmt., LLC v. Vill. of Pinehurst        | 22-553 | Moore                      |
| Thompson v. J.H. Honeycutt & Sons, Inc.     | 22-581 | N.C. Industrial Commission |

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## COURT CALENDAR BY PANEL

Wednesday, 16 November 2022

### PANEL NO. 3

HONORABLE RICHARD DIETZ  
HONORABLE HUNTER MURPHY  
HONORABLE ALLEGRA COLLINS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2022 AT 9:30 a.m.**

|                     |        |            |
|---------------------|--------|------------|
| Jayawardena v. Daka | 22-384 | Cumberland |
|---------------------|--------|------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |             |
|---|--------|-------------|
| State v. Christman                          | 22-330 | Brunswick   |
| State v. Johnson                            | 22-416 | Johnston    |
| State v. Byrd                               | 22-527 | Johnston    |
| Kozec v. Murphy                             | 22-433 | Wake        |
| Moschos v. Moschos                          | 22-455 | Orange      |
| Gehrke v. The Gates at Quail Hollow Home... | 22-460 | Mecklenburg |
| New Vision Tr. v. Eliza LLC                 | 22-559 | Wake        |
| In re: J.B.                                 | 22-605 | Union       |

Sent Date: 17 October 2022

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## COURT CALENDAR BY PANEL

Wednesday, 16 November 2022

PANEL NO. 4  
HONORABLE VALERIE J. ZACHARY  
HONORABLE TOBIAS HAMPSON  
HONORABLE JEFFERSON GRIFFIN

**NOTE: Judge Lucy Inman will sit for Judge Jefferson Griffin in COA#22-457.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2022 AT 2:00 p.m.**

Jarman v. Twiddy & Co. of Duck, Inc.

22-422

Johnston

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF NOVEMBER 2022**. 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

22-366

New Hanover

State v. Jefferson

22-450

Rutherford

State v. Alston

22-562

Chatham

In re: Jones

22-392

Forsyth

Smith v. Wisniewski

22-457

Wake

Denton v. Baumohl

22-500

Buncombe

Limerick v. Rojo-Limerick

22-568

Mecklenburg

Lira v. Felton

22-666

Harnett

Sent Date: 17 October 2022



# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 21 November 2022

### PANEL NO. 1

HONORABLE VALERIE J. ZACHARY  
HONORABLE HUNTER MURPHY  
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **21 NOVEMBER 2022** 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: M.W. & M.W. | 22-21  | Cumberland |
| In re: R.M.        | 22-207 | Hoke       |
| In re: K.W.        | 22-314 | Union      |

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## COURT CALENDAR BY PANEL

Tuesday, 29 November 2022

### PANEL NO. 2

HONORABLE JOHN M. TYSON  
HONORABLE JEFF CARPENTER  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 29TH OF NOVEMBER 2022 AT 2:00 p.m.**

Pelc v. Pham

22-175

Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v. Davis

22-222

New Hanover

State v. Abrams

22-347

Rutherford

State v. Phair

22-445

Lee

State v. Owens

22-517

Rutherford

State v. Messer

22-551

McDowell

State v. Hudson

22-579

Brunswick

Roberts v. Kyle

22-383

Carteret

In re: Custodial L. Enforcement Agency R...

22-446

Pasquotank

Sent Date: 2 November 2022

# North Carolina Court of Appeals

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## COURT CALENDAR BY PANEL

Tuesday, 29 November 2022

### PANEL NO. 1

HONORABLE VALERIE J. ZACHARY  
HONORABLE APRIL C. WOOD  
HONORABLE FRED GORE

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|                    |        |             |
|--------------------|--------|-------------|
| State v. Teal      | 22-336 | Scotland    |
| State v. Hefner    | 22-435 | Jackson     |
| State v. Fincher   | 22-509 | Union       |
| State v. Boykin    | 22-542 | Sampson     |
| State v. Lively    | 22-575 | Henderson   |
| State v. Cox       | 22-628 | Wake        |
| Duncan v. Transeau | 22-375 | Guilford    |
| Welch v. Welch     | 22-448 | Guilford    |
| In re: B.J.N.      | 22-529 | Mecklenburg |

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## COURT CALENDAR BY PANEL

Wednesday, 30 November 2022

### PANEL NO. 4

HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY  
HONORABLE TOBIAS HAMPSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 2022 AT 2:00 p.m.**

|                                  |        |            |
|----------------------------------|--------|------------|
| Sanders v. N.C. Dep't of Transp. | 22-440 | Cumberland |
|----------------------------------|--------|------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|  |        |             |
|--|--------|-------------|
| State v. Iazard                          | 22-312 | Lincoln     |
| State v. Honeycutt                       | 22-418 | McDowell    |
| State v. McCall                          | 22-496 | Moore       |
| State v. Douglas                         | 22-528 | Mecklenburg |
| State v. Parker                          | 22-574 | Mecklenburg |
| State v. Lucas                           | 22-612 | Nash        |
| Hendrickson v. Hendrickson               | 22-364 | Forsyth     |
| Smith v. Piedmont Triad Anesthesia, P.A. | 22-464 | Forsyth     |

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## COURT CALENDAR BY PANEL

Wednesday, 30 November 2022

### PANEL NO. 3

HONORABLE JOHN ARROWOOD  
HONORABLE ALLEGRA COLLINS  
HONORABLE DARREN JACKSON

**NOTE: Judge Valerie Zachary will sit for Judge John Arrowood in COA#22-521.**

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF NOVEMBER 2022**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|                          |        |             |
|--------------------------|--------|-------------|
| State v. Steen           | 22-225 | Richmond    |
| State v. Scarboro        | 22-354 | Currituck   |
| State v. Trapp           | 22-487 | Rowan       |
| State v. Jones           | 22-518 | Columbus    |
| State v. Hayes           | 22-567 | Onslow      |
| State v. Adams           | 22-588 | Gaston      |
| Horan v. Horan           | 22-203 | Wake        |
| Askew v. City of Kinston | 22-407 | Lenoir      |
| Hudson v. Hudson         | 22-521 | Mecklenburg |