

# 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, 3 October 2023

### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE VALERIE J. ZACHARY  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 3RD OF OCTOBER 2023 AT 10:00 a.m.**

|                                 |        |            |
|---------------------------------|--------|------------|
| State v. Hemingway              | 23-275 | Columbus   |
| Hill v. The Div. of Soc. Servs. | 23-197 | Rutherford |

**NOTE:** Oral argument will be held at the following location:

**Duke University School of Law  
210 Science Drive  
Room 4049  
Durham, NC 27708**

Sent Date: 7 September 2023

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## COURT CALENDAR BY PANEL

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### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE VALERIE J. ZACHARY  
HONORABLE HUNTER MURPHY

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |             |
|---|--------|-------------|
| State v. Knight                             | 23-67  | Pitt        |
| State v. Revels                             | 23-148 | Robeson     |
| State v. Velez                              | 23-199 | Craven      |
| State v. Thomas                             | 23-210 | Wake        |
| State v. Perry                              | 23-375 | Cabarrus    |
| Elite Home Health Care, Inc. v. N.C. Dep... | 23-122 | Mecklenburg |
| Sapia v. Sapia                              | 23-295 | Mecklenburg |
| In re: N.M.C.                               | 23-173 | Guilford    |
| In re: A.F.G.T.                             | 23-317 | Surry       |
| In re: J.H.                                 | 23-402 | Perquimans  |

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## COURT CALENDAR BY PANEL

Tuesday, 3 October 2023

### PANEL NO. 2

HONORABLE ALLEGRA COLLINS  
HONORABLE JEFFERSON GRIFFIN  
HONORABLE CAROLYN J. THOMPSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 3RD OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|  |        |             |
|--|--------|-------------|
| State v. Clawson                       | 22-787 | Haywood     |
| State v. Marroquin                     | 23-111 | Forsyth     |
| State v. Brown                         | 23-150 | Bertie      |
| State v. Parsons                       | 23-200 | Watauga     |
| State v. Hill                          | 23-264 | Brunswick   |
| State v. Woodring                      | 23-293 | Watauga     |
| Urvan v. Arnold                        | 22-957 | Mecklenburg |
| Little v. Clay                         | 23-213 | New Hanover |
| Kirkman v. Rowan Reg'l Med. Ctr., Inc. | 23-282 | Rowan       |
| In re: D.T.P. & B.M.P.                 | 23-29  | Buncombe    |
| In re: N.J.R.C.                        | 23-221 | Union       |
| In re: B.L.G.                          | 23-354 | Surry       |

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## COURT CALENDAR BY PANEL

Wednesday, 4 October 2023

PANEL NO. 3  
HONORABLE CHRIS DILLON  
HONORABLE JOHN ARWOOD  
HONORABLE MICHAEL STADING

**NOTE: Judge John Tyson will sit for Judge Michael Stading in COA#23-180.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2023 AT 9:30 a.m.**

|   |        |             |
|---|--------|-------------|
| Eastwood Constr. Partners, LLC v. Waxhaw... | 23-180 | Mecklenburg |
|---|--------|-------------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2023**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |             |
|---|--------|-------------|
| State v. Michael                            | 22-846 | Davidson    |
| State v. King                               | 23-120 | Columbus    |
| State v. Anderson                           | 23-169 | Guilford    |
| State v. Keller                             | 23-203 | Davidson    |
| State v. Dobson                             | 23-288 | Orange      |
| State v. Hudson                             | 23-336 | Pitt        |
| Albert v. City of Raleigh                   | 23-241 | Wake        |
| French-Brown v. Alpha Modus Ventures, LL... | 23-290 | Mecklenburg |
| In re: E.W., J.W. & A.W.                    | 23-74  | Durham      |
| In re: A.D.                                 | 23-223 | Forsyth     |
| In re: E.T.P. & H.E.P.                      | 23-394 | Henderson   |

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## COURT CALENDAR BY PANEL

Wednesday, 4 October 2023

### PANEL NO. 4

HONORABLE JOHN M. TYSON  
HONORABLE TOBIAS HAMPSON  
HONORABLE JEFF CARPENTER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2023**  
**AT 2:00 p.m.**

|                                     |        |        |
|-------------------------------------|--------|--------|
| Universal Life Ins. Co. v. Lindberg | 23-274 | Durham |
|-------------------------------------|--------|--------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 4TH OF OCTOBER 2023**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |             |
|---|--------|-------------|
| State v. Daniels                            | 23-22  | Mecklenburg |
| State v. Caldwell                           | 23-126 | Johnston    |
| State v. McLeod                             | 23-174 | Johnston    |
| State v. Harper                             | 23-206 | Pitt        |
| State v. Stewart                            | 23-291 | Moore       |
| State v. Robinson                           | 23-365 | Wake        |
| Conroy v. Conroy                            | 23-136 | Mecklenburg |
| Knuckles v. Simpson                         | 23-257 | Mecklenburg |
| In re: J.P.E., J.A.B., N.Q.B., N.C.E., K... | 23-161 | Guilford    |
| In re: S.D., R.D., I.D.                     | 23-233 | Wake        |
| In re: N.R.W. & T.N.W.                      | 23-440 | Buncombe    |

Sent Date: 7 September 2023

# North Carolina Court of Appeals

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## 3.1 Calendar

Monday, 9 October 2023

### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE FRED GORE  
HONORABLE MICHAEL STADING

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **9 OCTOBER 2023** 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.C. & K.A.      | 22-775  | Johnston    |
| In re: A.K., K.K., K.K. | 22-877  | Johnston    |
| In re: D.J.W. & D.A.L.  | 22-1013 | McDowell    |
| In re: G.E.             | 22-1056 | Mecklenburg |
| In re: L.M.             | 23-19   | Cumberland  |
| In re: I.M.J.           | 23-33   | Durham      |

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## COURT CALENDAR BY PANEL

Tuesday, 17 October 2023

### PANEL NO. 2

HONORABLE VALERIE J. ZACHARY  
HONORABLE APRIL C. WOOD  
HONORABLE MICHAEL STADING

**NOTE: Judge Tobias Hampson will sit for Judge Michael Stading in COA#23-516.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 2023 AT 2:00 p.m.**

|                 |        |      |
|-----------------|--------|------|
| Land v. Whitley | 23-250 | Pitt |
|-----------------|--------|------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |        |             |
|---|--------|-------------|
| State v. Willoughby                         | 23-3   | Pender      |
| State v. Wilkins                            | 23-243 | Nash        |
| State v. Vaughn                             | 23-297 | Pitt        |
| State v. Hall                               | 23-320 | Wake        |
| State v. Gill                               | 23-381 | Craven      |
| State v. Hardy                              | 23-421 | New Hanover |
| Jonna v. Yaramada                           | 22-954 | Wake        |
| In re: Jackson                              | 23-386 | Wilson      |
| Farrington v. WV Invs., LLC                 | 23-416 | Watauga     |
| The Fund for New Urbanism, LLC v. Real E... | 23-466 | Chowan      |
| Nlend v. Nlend                              | 23-516 | Mecklenburg |

Sent Date: 19 September 2023

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## COURT CALENDAR BY PANEL

Tuesday, 17 October 2023

### PANEL NO. 1

HONORABLE TOBIAS HAMPSON  
HONORABLE JEFF CARPENTER  
HONORABLE CAROLYN J. THOMPSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 17TH OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |         |             |
|---|---------|-------------|
| State v. Alva                               | 22-1062 | Scotland    |
| State v. Bowman                             | 23-82   | Durham      |
| State v. Benbow                             | 23-315  | Mecklenburg |
| State v. Ford                               | 23-374  | Buncombe    |
| State v. Smith                              | 23-413  | Anson       |
| N.C. Dep't of Health & Hum. Servs. v. Pe... | 22-918  | Vance       |
| Global Outreach Tele-Rehab. Servs., Inc.... | 23-325  | Cumberland  |
| Watkins v. Crossroads Auto. Grp., Inc.      | 23-350  | Vance       |
| In re: G.J.W.L.                             | 23-458  | Surry       |
| Franklin v. Palmer                          | 23-481  | Macon       |



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## COURT CALENDAR BY PANEL

Wednesday, 18 October 2023

### PANEL NO. 3

HONORABLE ALLEGRA COLLINS  
HONORABLE FRED GORE  
HONORABLE JULEE FLOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2023 AT 9:30 a.m.**

|   |        |            |
|---|--------|------------|
| The Town of Forest City v. Florence Rede... | 23-401 | Rutherford |
| City of Roanoke Rapids v. Halifax Cnty.     | 23-419 | Halifax    |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2023**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|                         |        |          |
|-------------------------|--------|----------|
| State v. Bethea         | 22-932 | Scotland |
| State v. Shine          | 23-106 | Buncombe |
| State v. Spruill        | 23-248 | Martin   |
| State v. Figueroa       | 23-313 | Guilford |
| State v. Macon          | 23-357 | Randolph |
| State v. Bowman         | 23-384 | Forsyth  |
| Evans v. Myers          | 22-952 | Rowan    |
| Chagaris v. Vandergrift | 23-164 | Iredell  |
| Linker v. Linker        | 23-328 | Guilford |
| Ryan v. Ryan            | 23-467 | Guilford |

Sent Date: 19 September 2023

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## COURT CALENDAR BY PANEL

Wednesday, 18 October 2023

### PANEL NO. 4

HONORABLE CHRIS DILLON  
HONORABLE JOHN M. TYSON  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2023 AT 2:00 p.m.**

|                                       |       |          |
|---------------------------------------|-------|----------|
| True Homes, LLC v. City of Greensboro | 23-48 | Guilford |
|---------------------------------------|-------|----------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 18TH OF OCTOBER 2023**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|   |         |            |
|---|---------|------------|
| State v. Hills                              | 22-1001 | Iredell    |
| State v. Hall                               | 23-234  | Montgomery |
| State v. McDowell                           | 23-277  | Bladen     |
| State v. Rubenstahl                         | 23-314  | Cumberland |
| State v. King                               | 23-322  | Haywood    |
| State v. Alvarado                           | 23-385  | Durham     |
| Parker v. McCoy                             | 23-341  | Guilford   |
| Clapper v. Press Ganey Assocs., LLC         | 23-372  | Iredell    |
| Honeycutt v. Velasquez-Morales              | 23-406  | Wayne      |
| Bulliard v. Highland Gate Homeowners Ass... | 23-452  | Buncombe   |
| Cranes Creek, LLC v. Neal Smith Eng'g, I... | 23-472  | Moore      |

Sent Date: 19 September 2023

# North Carolina Court of Appeals

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

## 3.1 Calendar

Monday, 23 October 2023

### PANEL NO. 1

HONORABLE CHRIS DILLON  
HONORABLE JOHN ARROWOOD  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT ON **23 OCTOBER 2023** 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: E.P.       | 22-873 | Durham |
| In re: A.W.       | 23-37  | Jones  |
| In re: A.R., A.W. | 23-98  | Wake   |

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## COURT CALENDAR BY PANEL

Wednesday, 25 October 2023

### PANEL NO. 1

HONORABLE TOBIAS HAMPSON  
HONORABLE FRED GORE  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF OCTOBER 2023**  
**AT 10:00 a.m.**

|                              |        |                                 |
|------------------------------|--------|---------------------------------|
| State v. Davidson            | 23-258 | Cumberland                      |
| The N.C. State Bar v. DeMayo | 23-391 | Disciplinary Hearing Commission |

**NOTE:** Oral argument will be held at the following location:

**North Carolina Central University School of Law  
640 Nelson Street  
Durham, N. C. 27707**

**Sent Date: 19 September 2023**

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## COURT CALENDAR BY PANEL

Tuesday, 31 October 2023

PANEL NO. 1  
HONORABLE DONNA STROUD  
HONORABLE TOBIAS HAMPSON  
HONORABLE FRED GORE

**NOTE: Judge Michael Stading will sit for Chief Judge Donna Stroud in COA#22-1034.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 2023 AT 9:30 a.m.**

In re: D.R.F. Jr. 23-473 Yadkin

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|                                       |         |                            |
|---------------------------------------|---------|----------------------------|
| State v. Gregory                      | 22-1034 | Wake                       |
| State v. Burnette                     | 23-162  | Stokes                     |
| State v. Gilmore                      | 23-300  | Forsyth                    |
| Builders Mut. Ins. Co. v. Neibel      | 23-240  | Wake                       |
| Singleton v. McNabb                   | 23-309  | Vance                      |
| Cross Creek Mall SPE, LP v. Ngo       | 23-342  | Cumberland                 |
| Spencer v. Goodyear Tire & Rubber Co. | 23-430  | N.C. Industrial Commission |
| Pierson v. Sw. Airlines               | 23-526  | N.C. Industrial Commission |
| In re: D.J.W.                         | 23-347  | Robeson                    |
| In re: L.A.R.                         | 23-428  | New Hanover                |
| In re: S.E.B.                         | 23-490  | Guilford                   |

Sent Date: 3 October 2023

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## COURT CALENDAR BY PANEL

Tuesday, 31 October 2023

### PANEL NO. 2

HONORABLE VALERIE J. ZACHARY  
HONORABLE MICHAEL STADING  
HONORABLE CAROLYN J. THOMPSON

**NOTE: Judge Julie Flood will sit for Judge Michael Stading and Judge John Arrowood will sit for Judge Valerie Zachary in COA#23-252.**  
**NOTE: Judge Fred Gore will sit for Judge Valerie Zachary in COA#23-310.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 2023 AT 2:00 p.m.**

|                                      |        |             |
|--------------------------------------|--------|-------------|
| Ennis v. Haswell                     | 23-534 | Chatham     |
| Turpin v. Charlotte Latin Sch., Inc. | 23-252 | Mecklenburg |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 31ST OF OCTOBER 2023.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

|  |         |             |
|--|---------|-------------|
| State v. Ayala                           | 22-1046 | Stanly      |
| State v. Villarreal                      | 23-186  | Yadkin      |
| State v. Steele                          | 23-425  | Iredell     |
| Garner v. Jessup                         | 23-310  | Bertie      |
| Perez v. Perez                           | 23-371  | Forsyth     |
| N.C. Dep't of State Treasurer v. Perrigo | 23-414  | Wake        |
| MAXISIQ, LLC v. Howard                   | 23-478  | Mecklenburg |
| In re: C.K.                              | 23-362  | Davidson    |
| In re: C.L.K. & E.R.K.                   | 23-453  | Randolph    |
| In re: C.H.                              | 23-508  | New Hanover |

Sent Date: 3 October 2023