

# 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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HONORABLE DONNA STROUD  
HONORABLE VALERIE J. ZACHARY  
HONORABLE HUNTER MURPHY

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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
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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
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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

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

## 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
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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

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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
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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**

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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

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