

# 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

Wednesday, 1 November 2023

### PANEL NO. 3

HONORABLE JOHN ARROWOOD  
HONORABLE JEFF CARPENTER  
HONORABLE JULEE FLOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF NOVEMBER 2023**  
**AT 9:30 a.m.**

Detroit v. Saber Healthcare Holdings, LLC	23-465	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF NOVEMBER 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. Neill	23-95	Henderson
State v. Frizzell	23-237	Lee
State v. Harvey	23-542	Columbus
Cato Corp. v. Zurich Am. Ins. Co.	23-305	Mecklenburg
Smith Debnam Narron Drake Saintsing & My...	23-324	Wake
Hermosa v. Spellane	23-373	Guilford
Hazen v. Peters	23-488	Alamance
In re: T.L.B.	23-565	Lincoln
In re: N.I.R.W.	23-389	Lenoir
In re: T.P.	23-469	New Hanover
In re: L.D.C. & K.J.C.	23-524	Gaston

Sent Date: 3 October 2023

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## COURT CALENDAR BY PANEL

Wednesday, 1 November 2023

### PANEL NO. 4

HONORABLE JOHN M. TYSON  
HONORABLE HUNTER MURPHY  
HONORABLE ALLEGRA COLLINS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF NOVEMBER 2023** **AT 2:00 p.m.**

State v. Spann

22-1004

Caldwell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 1ST OF NOVEMBER 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. Bowlin

23-99

Yadkin

State v. Mitchell

23-270

Guilford

Griffin v. Griffin

23-65

Buncombe

Durbin v. Durbin

23-308

Wake

Strickland v. Strickland

23-353

Mecklenburg

Elliott v. Dep't of Transp.

23-390

Caldwell

Ayers v. Currituck Cnty. Dep't of Soc. S...

23-420

Office of Admin. Hearings

In re: Seamon

23-497

Davie

In re: K.N. & K.N.

23-296

Forsyth

In re: D.A.M.

23-399

Mecklenburg

In re: A.N.R.

23-479

Randolph

Sent Date: 3 October 2023

# North Carolina Court of Appeals

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

## 3.1 Calendar

Thursday, 9 November 2023

### PANEL NO. 1

HONORABLE CHRIS DILLON  
HONORABLE JOHN ARROWOOD  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **9 NOVEMBER 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: A.G.G.	22-949	Orange
In re: G.M., A.M.M., J.U.M.	22-1011	Watauga
In re: L.L.	22-1045	Onslow

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## COURT CALENDAR BY PANEL

Tuesday, 14 November 2023

### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE CHRIS DILLON  
HONORABLE VALERIE J. ZACHARY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 14TH OF NOVEMBER 2023 AT 9:30 a.m.**

N.C. State Conf. of the NAACP v. Alamance...	23-262	Alamance
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 14TH OF NOVEMBER 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. Suggs	23-4	Mecklenburg
State v. Ingram	23-207	Alamance
State v. Roebuck	23-335	Forsyth
State v. Price	23-361	Johnston
State v. Williams	23-408	Wilkes
State v. McCants	23-511	Buncombe
Cashion v. Cashion	23-327	Iredell
Harney v. Harney	23-364	Vance
Blackwell v. N.C. Dep't of Pub. Instruct...	23-418	N.C. Industrial Commission
Hudgins v. Martin Gen. Hosp.	23-533	N.C. Industrial Commission
Tadlock v. Moretz	23-561	Catawba

Sent Date: 19 October 2023

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## COURT CALENDAR BY PANEL

Tuesday, 14 November 2023

### PANEL NO. 2

HONORABLE JOHN ARROWOOD  
HONORABLE APRIL C. WOOD  
HONORABLE CAROLYN J. THOMPSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 14TH OF NOVEMBER 2023 AT 2:00 p.m.**

State v. C.K.D.	23-204	Iredell
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 14TH OF NOVEMBER 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. Armstrong	23-220	Mecklenburg
State v. Forney	23-338	Buncombe
State v. Terry	23-378	Orange
State v. Mincey	23-447	Craven
State v. Mertes	23-512	Forsyth
Maness v. Kornegay	23-301	Chatham
Smith v. Smith	23-339	Pitt
Milford v. Milford	23-379	Mecklenburg
Bettis v. Weiss	23-514	Craven
Troutt v. Watson	23-535	Wake
Moseley v. Hendricks	23-576	Wilson

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## COURT CALENDAR BY PANEL

Wednesday, 15 November 2023

PANEL NO. 3  
HONORABLE HUNTER MURPHY  
HONORABLE JEFFERSON GRIFFIN  
HONORABLE MICHAEL STADING

**NOTE: Judge Valerie Zachary will sit for Judge Michael Stading in COA#23-303.**

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF NOVEMBER 2023 AT 9:30 a.m.**

State v. Cable

23-192

McDowell

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF NOVEMBER 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. Parker

23-235

Wake

State v. Yancey

23-345

Cleveland

State v. Holder

23-395

Nash

State v. Boynton

23-484

New Hanover

State v. Davis

23-551

Forsyth

Phillips v Extra Space Mgmt., Inc.

23-303

Mecklenburg

Duke Univ. Health Sys. Inc. v. N.C. Dep'...

23-351

Office of Admin. Hearings

Hoffman v. Curry

23-398

Chatham

Chavez v. Logan

23-528

Edgecombe

Luxeyard, Inc. v. Klinek

23-555

Forsyth

Dykers v. Town of Carrboro

23-638

Orange

Sent Date: 19 October 2023

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## COURT CALENDAR BY PANEL

Wednesday, 15 November 2023

### PANEL NO. 4

HONORABLE JEFF CARPENTER  
HONORABLE FRED GORE  
HONORABLE JULEE FLOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF NOVEMBER 2023 AT 2:00 p.m.**

State v. Earnell	23-498	Mecklenburg
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 15TH OF NOVEMBER 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. Garcia	23-110	Mecklenburg
State v. Green	23-321	Lee
State v. Johnson	23-359	Forsyth
State v. Lipscomb	23-407	Mecklenburg
State v. McCrorey	23-592	Cabarrus
Shannon v. Rouse Builders, Inc.	23-318	Gaston
Porter v. Alliance Credit Counseling	23-363	N.C. Industrial Commission
Lopez v. The Prudential Ins. Co. of Am.	23-427	Gaston
Workman v. Workman	23-530	Wake
Riffle v. Est. of Larry Morgan	23-560	Mecklenburg
Nelson v. The Goodyear Tire & Rubber, Co...	23-595	N.C. Industrial Commission

Sent Date: 19 October 2023

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## Supplemental Calendar

Monday, 20 November 2023

### PANEL NO. 1

HONORABLE DONNA STROUD  
HONORABLE MICHAEL STADING  
HONORABLE CAROLYN J. THOMPSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 NOVEMBER 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.

State v. Little	23-410	Hoke
State v. Clinton	23-463	Mecklenburg
In re: S.Z.H., K.K.H., J.S.B.H., J.Z.H.	23-536	Alamance
Peele v. Peele	23-614	Beaufort
State v. Arrington	23-688	Pitt
State v. Oglesby	23-783	Beaufort



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## Supplemental Calendar

Monday, 20 November 2023

### PANEL NO. 2

HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY  
HONORABLE JULEE FLOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 NOVEMBER 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.

State v. Singletary	23-175	Columbus
In re: E.R.B.	23-435	Haywood
State v. Covington	23-480	Mecklenburg
In re: J.R., K.R.	23-554	Durham
State v. Ott	23-648	Scotland
State v. Gales	23-689	Mecklenburg

# North Carolina Court of Appeals

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## Supplemental Calendar

Monday, 20 November 2023

### PANEL NO. 3

HONORABLE ALLEGRA COLLINS  
HONORABLE JEFF CARPENTER  
HONORABLE APRIL C. WOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 NOVEMBER 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.

State v. Swindell	23-217	Craven
State v. Blue	23-450	Dare
State v. Wade	23-492	Caswell
State v. Bass	23-567	Duplin
State v. Freeman	23-654	Buncombe
In re: A.J.G.	23-704	Carteret

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## Supplemental Calendar

Monday, 20 November 2023

### PANEL NO. 4

HONORABLE JOHN ARROWOOD  
HONORABLE TOBIAS HAMPSON  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 NOVEMBER 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.

Abrantes v. Abrantes	23-333	Onslow
In re: N.T., N.R., A.C.	23-456	Durham
Baisden v. Baisden	23-491	Guilford
In re: L.A.S.	23-574	McDowell
State v. George	23-664	Surry
Baisden v. Allen	23-772	Davidson

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## Supplemental Calendar

Monday, 20 November 2023

PANEL NO. 5

HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY  
HONORABLE FRED GORE

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **20 NOVEMBER 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.

State v. Loftis	23-311	McDowell
State v. Young	23-459	Onslow
Robertson v. Zaxby's of Knightdale	23-513	Wake
In re: K.R.C.	23-587	Alamance
State v. Hinton	23-673	Edgecombe
State v. Bowen	23-776	Forsyth

# North Carolina Court of Appeals

Court of Appeals Building  
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## 3.1 Calendar

Tuesday, 21 November 2023

### PANEL NO. 1

HONORABLE HUNTER MURPHY  
HONORABLE ALLEGRA COLLINS  
HONORABLE TOBIAS HAMPSON

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **21 NOVEMBER 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: Z.S.J.	22-835	Mecklenburg
In re: R-M.M.A.	23-276	Yancey
In re: S.O.R.	23-422	Yancey
In re: I.G., P.G., S.G., B.G., L.G.	23-445	Beaufort
In re: T.L.A.	23-506	Randolph
In re: I.K., K.B., J.B.	23-518	Rowan

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## COURT CALENDAR BY PANEL

Tuesday, 28 November 2023

### PANEL NO. 1

HONORABLE JOHN M. TYSON  
HONORABLE VALERIE J. ZACHARY  
HONORABLE JULEE FLOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 28TH OF NOVEMBER 2023 AT 9:30 a.m.**

Town of La Grange v. Cnty. of Lenoir	23-495	Lenoir
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 28TH OF NOVEMBER 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. Burnett	23-246	New Hanover
State v. Moore	23-380	Mecklenburg
State v. Steele	23-552	Randolph
Poimboeuf v. Merritt	23-229	Orange
Connette v. The Charlotte-Mecklenburg Ho...	23-460	Mecklenburg
In re: Blue	23-505	Moore
In re: Jones	23-594	Buncombe
Carcano v. JBSS, LLC	23-685	Rutherford
In re: A.C.	23-188	Cumberland
In re: J.K., C.K., J.K., K.K.	23-265	Edgecombe
In re: Z.Y.	23-522	Alexander

Sent Date: 31 October 2023

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## COURT CALENDAR BY PANEL

Tuesday, 28 November 2023

### PANEL NO. 2

HONORABLE ALLEGRA COLLINS  
HONORABLE JEFF CARPENTER  
HONORABLE APRIL C. WOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 28TH OF NOVEMBER 2023 AT 2:00 p.m.**

Kean v. Kean	23-46	Iredell
Hoaglin v. Duke Univ. Health Sys., Inc.	23-546	Durham

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 28TH OF NOVEMBER 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. Martin	23-190	Rutherford
State v. Shumate	23-256	McDowell
State v. Taylor	23-423	Columbus
In re: J.B.P.	23-269	Beaufort
Happel v. Guilford Cnty. Bd. of Educ.	23-487	Guilford
Nantz v. City of Charlotte	23-496	Mecklenburg
The Est. of Teruyo Barry v. Blue	23-599	Cumberland
In re: M.M., E.M., J.M., S.M., C.M.	23-114	Cleveland
In re: L.E., I.Z.E., G.E., A.E., D.A.	23-191	Sampson
In re: E.O.N. & E.O.N.	23-352	Forsyth

Sent Date: 31 October 2023

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## COURT CALENDAR BY PANEL

Wednesday, 29 November 2023

### PANEL NO. 4

HONORABLE CHRIS DILLON  
HONORABLE HUNTER MURPHY  
HONORABLE FRED GORE

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF NOVEMBER 2023 AT 2:00 p.m.**

Vill. of Bald Head Island v. Bald Head I...	23-424	N.C. Utilities Commission
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THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF NOVEMBER 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. Barnes	23-239	Wilson
State v. Johnson	23-307	Union
State v. Self	23-523	Mitchell
Parker v. Parker	23-170	Mecklenburg
Miller v. Soudrette	23-493	Guilford
Phillips v. Phillips	23-504	Durham
Silwal v. Akshar Lenoir, Inc.	23-589	Caldwell
Robinson v. Halifax Reg'l Med. Ctr.	23-641	Halifax
In re: S.W.	23-160	Johnston
In re: P.C., L.C., A.C., K.C., S.C.	23-253	Randolph
In re: G.R.N.	23-499	Davidson

Sent Date: 31 October 2023



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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.

All arguments, in-person or by WebEx, are recorded and the livestream for each case will start when the argument begins and will be available for viewing at: <http://govu.us/nc-coa-oral-arguments> \*\*\*

## COURT CALENDAR BY PANEL

Wednesday, 29 November 2023

### PANEL NO. 3

HONORABLE JOHN ARROWOOD  
HONORABLE TOBIAS HAMPSON  
HONORABLE JEFFERSON GRIFFIN

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 29TH OF NOVEMBER 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. Berryman	23-225	Graham
State v. Cox	23-260	Edgecombe
State v. Bennett	23-502	Guilford
Lowe v. Lowe	23-80	Clay
Shay v. Shay	23-330	Cabarrus
Long v. Fowler	23-629	Person
Johnson v. Butler	23-692	Wake
Johnson v. Butler	23-693	Wake
Johnson v. Butler	23-694	Wake
In re: T.H.	23-137	Guilford
In re: D.L.	23-219	Alexander
In re: R.B.	23-426	Union

Sent Date: 31 October 2023