

NORTH CAROLINA COURT OF APPEALS

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

This calendar is available at: <http://www.nccourts.org/Courts/Appellate/Appeal/Default.asp>

COURT CALENDAR BY PANEL

Tuesday, 10 February 2009

PANEL NO. 2

JAMES A. WYNN, JR.
ROBERT C. HUNTER
SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 2009 AT 9:30 a.m.**

| | | |
|-----------------------------|--------|--------|
| In The Matter Of: NC IDEA | 08-561 | Wake |
| Brown, et al v Meter, et al | 08-944 | Onslow |
| Turner v City of Greenville | 08-630 | Pitt |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 10TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|--------|--------------------------|
| State v Wolfe | 08-38 | Alamance |
| State v Miller | 08-650 | New Hanover |
| State v Boggess | 08-746 | Durham |
| In the Matter of: K.H. | 08-528 | Durham |
| Franco v Liposcience, Inc. | 08-785 | Wake |
| Adams v Winston-Salem/Forsyth County | 08-815 | NC Industrial Commission |
| Dalenko v Monroe | 08-844 | Wake |
| Shore Acres Co. v Town of Wrightsville | 08-919 | New Hanover |
| Northwest Property v Town of Carrboro | 08-929 | Orange |
| White v Thompson | 08-953 | Columbus |

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COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

PANEL NO. 3

LINDA M. MCGEE
BARBARA JACKSON
ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**
AT 9:30 a.m.

| | | |
|---------------------------------------|---------|----------|
| Hudgins v Wagoner | 08-1004 | Alamance |
| North Iredell Neighbors v Iredell Co. | 08-1010 | Iredell |
| North Iredell Neighbors v Iredell Co. | 08-1068 | Iredell |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|-------------|
| State v Castaneda | 08-790 | Forsyth |
| State v Keaton | 08-840 | Mecklenburg |
| State v Rush | 08-871 | Guilford |
| Fletcher v Bowser | 08-958 | Forsyth |
| Griffith v NC Dept. of Correction | 08-966 | Anson |
| In The Matter Of: S.M.S. | 08-970 | Pitt |
| Northland Cable v Highlands Cable Group | 08-997 | Macon |
| Hejl v Hood Hargett & Associates, Inc. | 08-1065 | Mecklenburg |
| Bell Road Injury Ctr. v AllState Ins. | 08-1066 | Graham |

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COURT CALENDAR BY PANEL

Wednesday, 11 February 2009

PANEL NO. 4

ANN MARIE CALABRIA
RICK ELMORE
DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**
AT 1:00 p.m.

| | | |
|-------------------------------------|---------|------------|
| King v Beaufort Co. Bd. of Educ. | 08-1038 | Beaufort |
| Hardy v Beaufort Co. Bd. of Educ. | 08-1053 | Beaufort |
| Tonter Investments v Pasquotank Co. | 08-1057 | Pasquotank |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 11TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---|---------|--------------------------|
| State v Morrow | 08-867 | Wilkes |
| State v Brewington | 08-980 | Lee |
| State v Gardner | 08-1094 | Randolph |
| Sykes v Moss Trucking | 08-1039 | NC Industrial Commission |
| Siquar USA v Wang, et al | 08-1049 | Catawba |
| Carter v Fresenius Medical Center | 08-1063 | NC Industrial Commission |
| Gesel v Miller Orthopaedic Clinic, Inc. | 08-1077 | NC Industrial Commission |
| Manitius v Guthrie | 08-1083 | Carteret |
| In The Matter Of: SAS Institute Inc. | 08-1106 | Property Tax Commission |

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COURT CALENDAR BY PANEL

Thursday, 12 February 2009

PANEL NO. 5

SANFORD STEELMAN
MARTHA GEER
LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 2009 AT 9:30 a.m.**

| | | |
|-----------------------------------|---------|----------|
| Ford v Paddock | 08-1012 | Johnston |
| Panos v Timco Engine Center, Inc. | 08-1018 | Guilford |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 12TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|--------------------------|
| State v Kennedy | 08-877 | Lincoln |
| State v Webb | 08-904 | Union |
| State v Blackburn | 08-914 | Forsyth |
| First Gaston Bank v City of Hickory | 08-1017 | Catawba |
| In the Matter of: D.L.H. | 08-1019 | Guilford |
| Tallman v The City of Gastonia | 08-1021 | Gaston |
| Leggett v AAA Cooper Transportation | 08-1027 | Halifax |
| Munns v Precision Franchising, Inc. | 08-1034 | NC Industrial Commission |
| Asheville Sports v City of Asheville | 08-1085 | Buncombe |
| Livesay, et al v Carolina First, et al | 08-1102 | Henderson |

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COURT CALENDAR BY PANEL

Monday, 23 February 2009

PANEL NO. 1

JOHN C. MARTIN
JAMES A. WYNN, JR.
SAM J. ERVIN, IV

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 2009 AT 1:00 p.m.**

| | | |
|------------------------------------|--------|----------|
| DOT v Marston Baptist Church, Inc. | 08-856 | Richmond |
| NC Dept. of Revenue v Hudson | 08-945 | Wake |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 23RD OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--------------------------------------|---------|--------------------------|
| State v Pone | 08-656 | Sampson |
| State v Hinton | 08-758 | Mecklenburg |
| State v Koonce | 08-777 | Lenoir |
| State v Sadler | 08-843 | Gaston |
| State v Young | 08-872 | Wake |
| State v Ward | 08-978 | New Hanover |
| Lynn-Cliff, Inc. v Poole | 08-741 | Pender |
| Battle v Sabates | 08-860 | Mecklenburg |
| Berardi v Craven Co. School District | 08-920 | NC Industrial Commission |
| Pait v Southeastern Regional | 08-955 | NC Industrial Commission |
| State v Carr | 08-1337 | Cabarrus |

Sent Date: 23 January 2009

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COURT CALENDAR BY PANEL

Tuesday, 24 February 2009

PANEL NO. 2

LINDA M. MCGEE
MARTHA GEER
CHERI BEASLEY

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 2009 AT 9:30 a.m.**

Craig v Sandy Creek Condominium, et al 08-1048 Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 24TH OF FEBRUARY 2009.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|-------------------------------------|---------|-------------|
| State v Chandler | 08-885 | Chatham |
| State v Trombley | 08-947 | Mitchell |
| State v Bell | 08-959 | Gaston |
| State v Cotton | 08-984 | Rowan |
| State v Witherspoon | 08-1003 | Iredell |
| State v Woods | 08-1006 | Alamance |
| Connette v Jones | 08-981 | Brunswick |
| Hardin v KCS International, Inc. | 08-996 | New Hanover |
| Wein II, LLC v Porter, et al | 08-1033 | Buncombe |
| Brock & Scott Holdings, Inc. v West | 08-1051 | Pender |

Sent Date: 23 January 2009

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COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

PANEL NO. 3

ROBERT C. HUNTER
ANN MARIE CALABRIA
ROBERT N. HUNTER, JR.

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**
AT 9:30 a.m.

| | | |
|-------------------|---------|--------|
| State v Nicholson | 08-1007 | Durham |
|-------------------|---------|--------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|--|---------|--------------------------|
| State v Black | 08-1009 | Durham |
| State v Bettie | 08-1015 | Clay |
| State v Morton | 08-1020 | Person |
| State v Quick | 08-1023 | Guilford |
| State v Giddings | 08-1032 | Buncombe |
| Henson v Green Tree Servicing, LLC | 08-1074 | Henderson |
| Hicks v Dunn-Benson Ford, Inc. | 08-1088 | Sampson |
| Raper v Mansfield Systems, Inc. | 08-1099 | NC Industrial Commission |
| Williamson v Blounts Bay Land Co., LLC | 08-1105 | Beaufort |
| Belviso v Rosenke | 08-1107 | Pasquotank |
| Harbin Yin Hai v Greentree Financial | 08-1115 | Mecklenburg |

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COURT CALENDAR BY PANEL

Wednesday, 25 February 2009

PANEL NO. 4

WANDA G. BRYANT
RICK ELMORE
SANFORD STEELMAN

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**
AT 1:00 p.m.

| | | |
|------------------------------|---------|------|
| Martini v Companion Property | 08-1127 | Wake |
| Bumpers v Community Bank | 08-1135 | Wake |

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 25TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|------------------------------------|---------|--------------------------|
| State v Vincent | 08-1137 | Northampton |
| State v Burns | 08-1181 | Wake |
| State v Osorio | 08-1199 | Forsyth |
| State v Rinehart | 08-1209 | Forsyth |
| State v Allen | 08-1213 | Randolph |
| State v Frady | 08-1215 | Buncombe |
| Garner v Smith | 08-1117 | Carteret |
| West Durham Lumber v SunTrust Bank | 08-1136 | Durham |
| Griessel v Tamas Eye Center, P.C. | 08-1139 | Forsyth |
| Lassiter v Town of Selma | 08-1148 | NC Industrial Commission |

Sent Date: 23 January 2009

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COURT CALENDAR BY PANEL

Thursday, 26 February 2009

PANEL NO. 5

BARBARA JACKSON
LINDA STEPHENS
DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 26TH OF FEBRUARY 2009 AT 9:30 a.m.**

| | | |
|-------------------------------|---------|--------|
| Noble v Hooters of Greenville | 08-1144 | Greene |
|-------------------------------|---------|--------|

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 26TH OF FEBRUARY 2009**. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

| | | |
|---------------------------------------|---------|-------------|
| State v Rivens | 08-1042 | Mecklenburg |
| State v Taylor | 08-1045 | Mecklenburg |
| State v Rose | 08-1050 | New Hanover |
| State v Kotecki | 08-1070 | Forsyth |
| State v Majett | 08-1076 | Forsyth |
| State v Largent | 08-1108 | Watauga |
| Tands, Inc. v Coastal Plains Realty | 08-1143 | Lenoir |
| Mosler v Druid Hills Land Co., Inc. | 08-1146 | Henderson |
| Plummer v Plummer | 08-1158 | Gaston |
| Catawba County v Wyant | 08-1159 | Catawba |
| Fairway Outdoor Advertising v Edwards | 08-1172 | Cabarrus |