

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 30 APRIL 1998)**  
**(MANDATE 20 MAY 1998)**

Docket #	Title	County	Judge
97-1263-1	State v Hamby (Criminal) <b>Decision:</b> Appeal Dismissed	Alamance	Arnold
97-225-1	In The Matter of: Dunn (Civil) <b>Decision:</b> Affirmed in part, reversed in part & remanded	Durham	Martin
97-1003-1	In The Matter of: Casey Malone (Civil) <b>Decision:</b> Reversed & Remanded	Durham	McGee
97-405-1	Redevelopment Commission v Agapion (Civil) <b>Decision:</b> Reversed & Remanded	Guilford	McGee
95-705-2	Cross, et al v Residential Support, et (Civil) <b>Decision:</b> Affirmed and Remanded	Mecklenburg	Lewis, Jr.
97-514-1	Robinson, et al v Smith, et al (Civil) <b>Decision:</b> Affirmed in part; reversed in part and remanded	Mecklenburg	Smith
97-306-1	Brown v Family Dollar (Civil) <b>Decision:</b> Affirmed in part and Remanded	N.C. Industrial Commission	Arnold NOTE: May 11, 998 Opinion Result was changed from reversed and remand to affirmed in part and remanded
97-344-1	Snead v Carolina Pre-Cast Concrete (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Timmons-Goodson
97-1061-1	Davis v Sineath (Davis) (Civil) <b>Decision:</b> Affirmed	New Hanover	Horton, Jr.
97-849-1	Barclays Bank PLC v Johnson (Civil) <b>Decision:</b> Affirmed	Stokes	McGee

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Docket #	Title	County	Judge
97-569-1	Alamance County v Crisp (Civil) <b>Decision:</b> Vacated	Alamance 83CVD1526	Timmons-Goodson
97-1358-1	In The Matter of Gillis, A Minor Child (Civil) <b>Decision:</b> Affirmed	Ashe 97J1	Arnold
97-700-1	State v Whitfield (Civil)  <b>Decision:</b> Appeal Dismissed	Beaufort 96CRS3200,96CRS3201,96- CRS3202 95CRS4557,95CRS4639,95- CRS4558,95CRS4640,95C- RS4556,95CRS4638	Timmons-Goodson
97-880-1	State v Gannon (Criminal)  <b>Decision:</b> No Error	Buncombe 96CRS61903,96CRS61904,- 96CRS61902	Horton, Jr.
97-1076-1	Steingress v Steingress (Civil)  <b>Decision:</b> Dismissed	Buncombe 94CVD3132	Smith
97-1469-1	In The Matter of Iva Griggs (Civil)  <b>Decision:</b> Affirmed	Buncombe 96J191	Arnold
97-1179-1	Bobbitt v Bobbitt (Civil)  <b>Decision:</b> Affirmed	Burke 93CVD257	Smith
97-673-1	State, ex rel Nagy v Nagy (Civil)  <b>Decision:</b> Dismissed	Carteret 93CVD561	Arnold
97-1245-1	State v Ryan (Criminal)  <b>Decision:</b> No Error	Craven 96CRS394	Smith
97-625-1	State v Hill (Criminal)  <b>Decision:</b> Vacated in part and remanded for resentencing	Cumberland 95CRS50479,95CRS50478	Timmons-Goodson
97-780-1	Henley, et al v Allstate Insurance Co. (Civil)  <b>Decision:</b> Dismissed	Cumberland 96CVS7052	Timmons-Goodson
97-1319-1	In The Matter Of: McYoung, minors (Civil)  <b>Decision:</b> Affirmed	Cumberland 97J44,97J45,97J43	Arnold
97-1392-1	Williams v Register (Civil)  <b>Decision:</b> Affirmed	Cumberland 96CVS4377	Arnold
97-512-1	Jenkins v N.C. Dept. of Correction (Civil)  <b>Decision:</b> Affirmed	Davidson 96CV01228	Arnold
97-1199-1	State v Hall (Criminal)  <b>Decision:</b> No Error in part; Appeal dismissed in part	Davidson 95CRS15440	Arnold

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97-1292-1	State v Robinson (Criminal)  <b>Decision:</b> No Error	Davidson 96CRS8621,96CRS19323,9-6CRS4149	Arnold
97-518-1	State v Wallace (Criminal)  <b>Decision:</b> Affirmed	Duplin 96CRS08405,96CRS08404	Eagles, Jr.
97-1310-1	State v Bolden (Criminal)  <b>Decision:</b> No Error	Durham 96CRS24572	Horton, Jr.
97-1438-1	Whitaker v Harris (Civil)  <b>Decision:</b> Affirmed	Edgecombe 97CVS731	Smith
97-533-1	Essick v Essick (Civil)  <b>Decision:</b> Reversed	Forsyth 96CVD3227	Arnold
97-794-1	White v White (Civil)  <b>Decision:</b> Appeal dismissed	Forsyth 95CVD3933	Arnold
97-1226-1	State v Crawford (Criminal)  <b>Decision:</b> No Error	Forsyth 96CRS9716	Arnold
97-988-1	State ex rel Taylor v Stanberry (Civil)  <b>Decision:</b> Dismissed	Franklin 96CVD402	Horton, Jr.
97-1020-1	Rhyne, et al v Gaston County BOE, et al (Civil)  <b>Decision:</b> Affirmed	Gaston 96CVS1971	Smith
97-1241-1	State v Bess (Criminal)  <b>Decision:</b> No Error	Gaston 96CRS2680,96CRS2692,96CRS2689,96CRS2679,96CRS2690	Arnold
97-1242-1	State v Reynolds (Criminal)  <b>Decision:</b> No Error	Gaston 96CRS906	Horton, Jr.
97-1174-1	In Re: Kennard Anthony Black (Criminal)  <b>Decision:</b> Affirmed in part; vacated in part; and remanded	Granville 94J50	Horton, Jr.
97-1033-1	State v Allred (Criminal)  <b>Decision:</b> No Error	Guilford 94CRS78920,94CRS78919	Arnold
97-1120-1	Nelson v Freeland, et al (Civil)  <b>Decision:</b> Affirmed	Guilford 97CVS4715	Smith
97-1229-1	State v Hill (Criminal)  <b>Decision:</b> No Error	Guilford 95CRS061209	Arnold
97-1277-1	State v Coffey (Criminal)  <b>Decision:</b> Appeal Dismissed	Guilford 97CRS36146	Arnold

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97-1288-1	Brown v Smith (Civil) <b>Decision:</b> Appeal Dismissed	Guilford 95CVD9412	Smith
97-1308-1	Huntley v Huntley (Civil) <b>Decision:</b> Appeal Dismissed	Guilford 96CVD10963	Arnold
97-1435-1	State v Bettis (Criminal) <b>Decision:</b> No Error	Guilford 96CRS32201,96CRS32202	Arnold
97-1494-1	In The Matter of: Marcus Richmond (Criminal) <b>Decision:</b> No Error	Guilford 96J908	Arnold
97-783-1	State v Murphy (Criminal) <b>Decision:</b> No Error	Halifax 94CRS4843,94CRS4842	McGee
97-1339-1	State v Sartori (Criminal) <b>Decision:</b> No Error in part and Vacated in part	Haywood 89CRS2144	Arnold
97-1104-1	In The Matter of: Porter & Gainey (Civil) <b>Decision:</b> Affirmed	Lee 95J5455	Arnold
97-1055-1	Deaver v Sullivan (Civil) <b>Decision:</b> Affirmed	Lenoir 92CVD1353	Arnold
97-1208-1	State v Jenks (Criminal) <b>Decision:</b> No Error	Lenoir 96CRS442	Arnold
97-775-1	State v Brewer (Criminal) <b>Decision:</b> No Error	Mecklenburg 96CRS68701,96CRS22344	Timmons-Goodson
97-831-1	Monaco v Granzow, Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg 96CVS3790	McGee
97-971-1	McCauley v McCauley (Civil) <b>Decision:</b> Affirmed	Mecklenburg 93CVD12657	Timmons-Goodson
97-1197-1	First Union v Builder Mart (Civil) <b>Decision:</b> Affirmed	Mecklenburg 96CVS9221	Smith
97-1205-1	State v Jenkins (Criminal) <b>Decision:</b> No Error	Mecklenburg 96CRS31948	Arnold
97-1297-1	In The Matter of: Timothy Lee Browne (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 92J820	Arnold
97-1299-1	In The Matter Of: Demetrius T. Herron (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 94J707	Arnold
97-1396-1	First-Citizens v Castles Auto & Truck (Civil)	Mecklenburg 92CVS3731	Arnold

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	<b>Decision:</b> Affirmed		
97-1442-1	In The Matter of: D. E. Alexander (Criminal)	Mecklenburg 94J599	Arnold
	<b>Decision:</b> Affirmed		
97-1385-1	State v Ingram (Criminal)	Mitchell 96CRS1287,96CRS1286	Arnold
	<b>Decision:</b> Dismissed		
97-660-1	Hill v Caswell Center (Civil)	N.C. Industrial Commission IC536170	Wynn, Jr.
	<b>Decision:</b> Dismissed		
97-1279-1	Anderson v City of Raleigh (Civil)	N.C. Industrial Commission IC517516	Arnold
	<b>Decision:</b> Affirmed		
97-1295-1	Gouge v AGR Company (Civil)	N.C. Industrial Commission IC563905	Arnold
	<b>Decision:</b> Affirmed		
97-1320-1	Oxendine v Lincoln County BOE (Civil)	N.C. Industrial Commission IC437362	Smith
	<b>Decision:</b> Affirmed		
97-1145-1	Pfouts v Pfouts (Civil)	Orange 96CVS1268	Horton, Jr.
	<b>Decision:</b> Dismissed		
97-1322-1	Fearrington v Orange Co. CSEA (Civil)	Orange 97CVD341	Arnold
	<b>Decision:</b> Affirmed		
97-527-1	State v Foreman (Criminal)	Pamlico 96CRS346,96CRS347,96C- RS345,96CRS348	Timmons-Goodson
	<b>Decision:</b> No Error		
97-1267-1	Dance v ESC (Civil)	Pasquotank 97CVS132	Smith
	<b>Decision:</b> Affirmed		
97-1153-1	In The Matter of: Patrick Jordan (Criminal)	Pender 97J11	Arnold
	<b>Decision:</b> Affirmed		
97-1350-1	State v Johnson (Criminal)	Person 96CRS3859,96CRS3854,96- CRS3857,96CRS4023,96C- RS3855,96CRS3858,96CR- S3853,96CRS3856	Arnold
	<b>Decision:</b> Affirmed		
97-1156-1	State v Hoover (Criminal)	Randolph 96CRS87	Arnold
	<b>Decision:</b> Remanded with instructions		
97-1141-1	Sanderson v Pinchbeck (Civil)	Robeson 94CVD3061	Arnold
	<b>Decision:</b> Affirmed		
97-1371-1	State v Davenport (Criminal)	Robeson 96CRS372,96CRS373,96C- RS371,96CRS374	Horton, Jr.
	<b>Decision:</b> No Error		

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97-1018-1	State v Simpson (Criminal) <b>Decision:</b> Sentence Vacated and remanded for resentencing	Rockingham 96CRS7552	Arnold
97-1250-1	State v Roach (Civil) <b>Decision:</b> No Error	Rowan 96CRS7345	Arnold
97-1342-1	Yarbrough v Bennett (Civil) <b>Decision:</b> Affirmed	Stanly 97CVD589	Arnold
97-1072-1	Youngquist v Youngquist (Hawkins) (Civil) <b>Decision:</b> Affirmed	Surry 94CVD690	Arnold
97-1202-1	In The Matter of: Robert M. Grant, Jr. (Criminal) <b>Decision:</b> Vacated	Surry 97CR7435	Arnold
97-741-1	State v Simpson (Criminal) <b>Decision:</b> No error	Union 95CRS12840,95CRS12838	Wynn, Jr.
97-727-1	Bromhal v Stott (Civil) <b>Decision:</b> Affirmed	Wake 88CVD11968	Arnold
97-737-1	State v Herring (Criminal) <b>Decision:</b> No Error	Wake 96CRS14531,96CRS17364,- 96CRS14530	Timmons-Goodson
97-1271-1	Ford's Produce v CHC Durham Management (Civil) <b>Decision:</b> Affirmed	Wake 96CVD11584	Arnold
97-901-1	State v Gregory (Criminal) <b>Decision:</b> No Error	Wilkes 95CRS10915,95CRS10788,- 95CRS10918,95CRS10914,- 95CRS10787	Timmons-Goodson
97-1142-1	In The Matter of: Dustin D. Edwards (Civil) <b>Decision:</b> Affirmed	Wilkes 95J69	Horton, Jr.
97-1154-1	State v Simmons (Criminal) <b>Decision:</b> No Error	Wilkes 95CRS7119,95CRS7104	Smith