

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 MAY 1998)**  
**(MANDATE 8 JUNE 1998)**

Docket #	Title	County	Judge
96-1496-1	In Re: Willis et al v City of Southport (Civil) <b>Decision:</b> Reversed & Remanded	Brunswick	John, Sr.
97-803-1	Jones v Asheville Radiological (Civil) <b>Decision:</b> Issue I - Affirmed Issue II - Reversed & Remanded	Buncombe	Walker
97-709-1	Sara Lee Corporation v Carter (Civil) <b>Decision:</b> Affirmed in part, vacated in part & Remanded	Forsyth	Greene
97-1001-1	Russell v Buchanan, et al (Civil) <b>Decision:</b> No error in part; remanded in part	Gaston	Martin
97-576-1	Locklear, et al v Langdon (Civil) <b>Decision:</b> Reversed & Remanded	Harnett	Lewis, Jr.
97-1027-1	State v Ipock (Criminal) <b>Decision:</b> Reversed	Jones	Lewis, Jr.
97-1028-1	Re: Foreclosure of Blue Ridge Holdings (Civil) <b>Decision:</b> Reversed & Remanded	McDowell	Martin
97-637-1	State v Mullaney (Criminal) <b>Decision:</b> Vacated & Remanded	Orange	Walker
97-470-1	Mark IV Beverage v Molson Breweries (Civil) <b>Decision:</b> Affirmed	Rockingham	Timmons-Goodson
96-1280-1	State ex rel Long, et al v Petree et al (Civil) <b>Decision:</b> Affirmed	Wake	John, Sr.
97-884-1	Barrett Kays & Assoc. v Colonial Bldg. (Civil) <b>Decision:</b> Affirmed in part, reversed in part & remanded	Wake	Greene
97-708-1	Palmer v Duke Power (Civil) <b>Decision:</b> Affirmed	Wilkes	Timmons-Goodson

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Docket #	Title	County	Judge
97-620-1	Yarbrough v City of Burlington (Civil) <b>Decision:</b> Affirmed	Alamance 96CVD2321	Wynn, Jr.
97-810-1	Snyder, et al v First Union, et al (Civil) <b>Decision:</b> Reversed & Remanded	Beaufort 93CVD139	Walker
97-926-1	Rice, et al v Jones, et al (Civil) <b>Decision:</b> New Trial	Bertie 95SP45	McGee
97-929-1	County Water v S.H. Barner, Inc. (Civil) <b>Decision:</b> Affirmed	Bertie 96CVS236	Wynn, Jr.
97-934-1	State v Dyer (Criminal) <b>Decision:</b> No Error	Bertie 95CRS1242 96CRS465 96CRS463 95CRS1244 95CRS1241 96CRS464	Horton, Jr.
97-698-1	State v Babson (Criminal) <b>Decision:</b> Reversed & Remanded	Brunswick 96CRS1775 96CRS1776 96CRS1774	Smith
97-706-1	Able-Boyer v Boyer (Civil) <b>Decision:</b> Affirmed	Brunswick 95CVD541	Walker
97-924-1	Smith, et al v The Oleander Company (Civil) <b>Decision:</b> Affirmed	Brunswick 95CVS604	Horton, Jr.
97-814-1	State v Thomas (Criminal) <b>Decision:</b> No Error	Buncombe 96CRS63895	Horton, Jr.
97-872-1	In The Matter of: Dunn (Criminal) <b>Decision:</b> Reversed & Remanded	Buncombe 97J101	Walker
97-992-1	State v Burnette (Criminal) <b>Decision:</b> Affirmed	Buncombe 95CRS62940	Horton, Jr.
97-1014-1	State v Pertiller (Criminal) <b>Decision:</b> No Error	Buncombe 96CRS10816 96CRS10817 96CRS59128 96CRS10818	Horton, Jr.
97-1051-1	Mittendorff v Mittendorff (Civil) <b>Decision:</b> Affirmed	Buncombe 96CVD4710	Horton, Jr.
97-1107-1	Baldrige, et al v Hudson (Civil) <b>Decision:</b> No Error	Burke 95CVS1435	Lewis, Jr.
97-1312-1	In The Matter of: Lias (Civil) <b>Decision:</b> Affirmed	Caldwell 94J54	Martin
97-1093-1	Hutchins v Dowell, et al (Civil)	Davie 96CVS144	Horton, Jr.

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	<b>Decision:</b> Dismissed		
97-916-1	State v Booker (Criminal)	Durham 95CRS26128 95CRS26129 95CRS26127 95CRS26130	Horton, Jr.
	<b>Decision:</b> No Error		
97-837-1	State v Greer (Criminal)	Forsyth 96CRS20749 96CRS35770	Horton, Jr.
	<b>Decision:</b> No Error		
97-1441-1	State v Willis (Criminal)	Forsyth 96CRS6904 96CRS6905 96CRS6839 96CRS6906	Martin
	<b>Decision:</b> Affirmed		
97-1594-1	State v McDonald (Criminal)	Gaston 96CRS27653	Martin
	<b>Decision:</b> Dismissed		
97-642-1	Chestnut Assoc. v Cablevision (Civil)	Guilford 95CVS9642	Lewis, Jr.
	<b>Decision:</b> Appeal Dismissed		
97-907-1	State v Strickland (Criminal)	Guilford 96CRS22633 96CRS22632	McGee
	<b>Decision:</b> No Error		
97-923-1	State v Mayhand (Criminal)	Guilford 96CRS33476 96CRS32937	Horton, Jr.
	<b>Decision:</b> No Error		
97-1024-1	State v Macklin (Criminal)	Halifax 96CRS224	Horton, Jr.
	<b>Decision:</b> No Error		
97-1053-1	State v Turnage (Criminal)	Halifax 96CRS1466 96CRS1465	Horton, Jr.
	<b>Decision:</b> No Error		
97-1103-1	Pitts v Betsy Johnson Memorial (Civil)	Harnett 95CVS01524	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-815-1	Baker, et al v Shatley, et al (Civil)	Henderson 96CVS1351	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-1575-1	Henderson Co, ex rel v Corn (Civil)	Henderson 97CVD220	Martin
	<b>Decision:</b> Reversed & Remanded		
97-921-1	Murrow v Motor Vehicles (Civil)	Hyde 96CVS48	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-895-1	State v Pendleton (Criminal)	Lincoln 96CRS2386	Horton, Jr.
	<b>Decision:</b> No error in trial; remanded for resentencing		
97-624-1	State v Seabrooks (Criminal)	Mecklenburg 96CRS35898	Horton, Jr.
	<b>Decision:</b> Vacated & Remanded		
97-742-1	Tar Heel Home v Human Resources (Civil)	N.C. Dept. of Health & Human Svcs 96DHR0513	Wynn, Jr.

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	<b>Decision:</b> Affirmed		
97-406-1	Hayes v Forsyth County (Civil)	N.C. Industrial Commission IC152989	Timmons-Goodson
	<b>Decision:</b> Affirmed		
97-442-1	Corn v Buckeye Construction Co. (Civil)	N.C. Industrial Commission IC140992	Timmons-Goodson
	<b>Decision:</b> Affirmed		
97-607-1	Williams v Hunter, et al (Civil)	N.C. Industrial Commission IC078492	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-1069-1	Whitfield (Riley) v Western Steer (Civil)	N.C. Industrial Commission IC639675	Wynn, Jr.
	<b>Decision:</b> Affirmed		
97-1408-1	Little v VF Corp./Wrangler, et al (Civil)	N.C. Industrial Commission IC547613	Martin
	<b>Decision:</b> Affirmed		
97-1482-1	Spivey v Alexius Personnel (Civil)	N.C. Industrial Commission IC407197	Martin
	<b>Decision:</b> Reversed & Remanded		
97-1101-1	Marcucci, et al v Albertson, et al (Civil)	New Hanover 94CVS3259	Lewis, Jr.
	<b>Decision:</b> Remanded		
97-1269-1	State v Brown (Criminal)	Orange 95CRS15318 96CRS3044	Martin
	<b>Decision:</b> No Error		
97-1300-1	State v Coleman (Criminal)	Perquimans 95CRS213	Martin
	<b>Decision:</b> No Error		
97-1218-1	In The Matter of: Nash (Civil)	Person 95J41	Lewis, Jr.
	<b>Decision:</b> Affirmed		
97-612-1	State v Rios (Criminal)	Randolph 95CRS5397 95CRS5396	Horton, Jr.
	<b>Decision:</b> No Error		
97-1550-1	State v Nelson (Criminal)	Richmond 95CRS6533	Martin
	<b>Decision:</b> No Error		
97-820-1	In Re: Faith Marie Carver (Juvenile - 3.1)	Rutherford 93J50	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-786-1	In The Matter of: Strickland, et al (Civil)	Surry 94J131	Wynn, Jr.
	<b>Decision:</b> Affirmed		
97-935-1	State v Brickhouse (Criminal)	Tyrrell 96CRS952	Wynn, Jr.
	<b>Decision:</b> Certiorari Granted; and Affirmed		
97-1117-1	State v McKinnie (Criminal)	Wake 96CRS61321 96CRS61320	Horton, Jr.
	<b>Decision:</b> No Error		
97-558-1	Lampo, et al v N. W. Coppola (Civil)	Watauga 94CVS215	Greene

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	<b>Decision:</b> No Error		
97-1431-1	Harton v Barfield (Civil)	Wilson 95CVD2175	Martin
	<b>Decision:</b> Reversed & Remanded		