

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 21 JULY 1998)**  
**(MANDATE 10 AUGUST 1998)**

Docket #	Title	County	Judge
97-877-1	Washington Housing v NC Housing (Civil) <b>Decision:</b> Affirmed	Beaufort	Martin
97-1348-1	Howerton v Grace Hospital (Civil) <b>Decision:</b> Affirmed	Burke	Greene
97-1388-1	Conley, et al v Emerald Isle Realty (Civil) <b>Decision:</b> Reversed and remanded	Carteret	Greene
97-28-1	L.C. Williams Oil Co. v NAFCO Capital (Civil) <b>Decision:</b> Reversed	Chatham	John, Sr.
97-564-1	State v McDonald (Criminal) <b>Decision:</b> No error	Cumberland	Timmons-Goodson
97-189-1	Parish v Hill (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Durham	Timmons-Goodson
97-943-1	Chamberlain v Thames (Civil) <b>Decision:</b> Appeal dismissed	Durham	Greene
97-1133-1	Daetwyler v. Daetwyler (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Forsyth	Greene
97-1209-1	Pack v Randolph Oil Co. (Civil) <b>Decision:</b> Reversed	Guilford	Greene
97-697-2	State v Hayes (Criminal) <b>Decision:</b> No error	Mecklenburg	Greene
97-1059-1	Curry v Baker, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Horton, Jr.
97-317-1	Cooke v P.H. Glatfelter/Ecusta (Civil) <b>Decision:</b> Affirmed in part and reversed in part	N.C. Industrial Commission	Lewis, Jr.
97-351-1	Williams v Pee Dee Electric (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Lewis, Jr.
97-428-1	Neal v Carolina Management (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Walker
97-951-1	State v Marecek (Criminal) <b>Decision:</b> Reversed and remanded	New Hanover	Eagles, Jr.
97-646-1	City of Greenville v Haywood, Foster (Civil) <b>Decision:</b> Affirmed	Pitt	Timmons-Goodson

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97-981-1	Ultra Innovations v Food Lion, Inc. (Civil) <b>Decision:</b> No error	Rowan	Timmons-Goodson
97-883-1	Nationwide Mutual Fire v Grady, et al (Civil) <b>Decision:</b> Affirm	Wake	Timmons-Goodson
97-1002-1	State v Vick (Criminal) <b>Decision:</b> Affirmed	Wake	Greene
97-1057-1	State v Jordan (Criminal) <b>Decision:</b> No error	Wake	Walker
97-1097-1	Abe, et al v Westview Capital, et al (Civil) <b>Decision:</b> Dismissed	Wake	Greene
97-1122-1	State v Severn (Criminal) <b>Decision:</b> Reversed and remanded	Wake	Greene
97-1480-1	Hubbard v State Construction Office (Civil) <b>Decision:</b> Affirmed	Wake	Walker

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97-796-1	State v Boggs (Criminal) <b>Decision:</b> No error	Alamance 96CRS19569	Martin
97-969-1	Thompson v Church Mutual Insurance (Civil) <b>Decision:</b> Reversed	Alamance 96CVS1370	Martin
97-980-1	State v Woods (Criminal) <b>Decision:</b> No error	Alamance 96CRS24893	Eagles, Jr.
97-216-1	Wiles et al v Highland Yarn Mills (Civil) <b>Decision:</b> Affirmed	Bladen 95CVS781	Timmons-Goodson
97-952-1	Long Branch Environmental v Stavish (Civil) <b>Decision:</b> Affirmed in part and reversed in part	Buncombe 96CVD631	Lewis, Jr.
97-1372-1	Burleson v Case Farms of NC (Civil) <b>Decision:</b> Appeal dismissed	Burke 97CVS220	Lewis, Jr.
97-771-1	Hearne v Sherman, et al (Civil) <b>Decision:</b> Reversed and remanded	Chatham 96CVS664	McGee
97-701-1	City of Fayetteville v Trammell (Civil) <b>Decision:</b> Appeal dismissed	Cumberland 96CVM10845	Eagles, Jr.
97-1562-1	Sigma Construction v Cumberland County (Civil) <b>Decision:</b> Appeal dismissed	Cumberland 97CVS1278	Lewis, Jr.
97-1189-1	Beal v Beal (Civil) <b>Decision:</b> Reversed	Davie 94CVD427	Lewis, Jr.
97-589-1	In The Matter of: Daniel Bailey (Civil) <b>Decision:</b> Reversed in part; affirmed in part	Durham 93J45	Timmons-Goodson
97-1079-1	Sharp, et al v Atlantic Mutual (Civil) <b>Decision:</b> Reversed	Durham 96CVS03334	Horton, Jr.
97-1549-1	In The Matter of The Wilkinson Children (Civil) <b>Decision:</b> Affirmed	Durham 95J78	Walker
97-1520-1	State v O'Neal (Criminal) <b>Decision:</b> No error	Forsyth 94CRS27822,95CRS43180	Lewis, Jr.
98-201-1	State v Astrop (Criminal) <b>Decision:</b> No error	Forsyth 97CRS18272,96CRS42330	Walker
98-191-1	State v Greene (Criminal)	Gaston 96CRS10785,96CRS6181,9-6CRS6184,96CRS6182,96CRS10784,96CRS6180,96CRS6183	Lewis, Jr.

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	<b>Decision:</b> No error		
97-1110-1	McGarity v McGarity (Civil)	Guilford 89CVD7755	Eagles, Jr.
	<b>Decision:</b> Affirmed in part and reversed and remanded in part		
97-1022-1	Murphrey v Stallings Oil Company (Civil)	Halifax 94CVS725	Martin
	<b>Decision:</b> Affirmed		
97-1289-1	Bell v Harrison, et al (Civil)	Halifax 95CVD366	Martin
	<b>Decision:</b> Reversed and remanded		
97-1566-1	State v Jones (Criminal)	Halifax 95CRS11208,95CRS11209,- 95CRS11207	Lewis, Jr.
	<b>Decision:</b> Remanded for resentencing		
97-340-1	State v Sanders (Criminal)	Johnston 96CRS540	Smith
	<b>Decision:</b> No error		
97-1196-1	State v Harbison (Criminal)	McDowell 94CRS2066,94CRS2067,93- CRS2866	McGee
	<b>Decision:</b> No error		
98-200-1	Kirkland v Ellis, et al (Civil)	McDowell 95CVS145	Walker
	<b>Decision:</b> Affirmed		
97-805-1	Thomas v Van Leer, et al (Civil)	Mecklenburg 93CVS4979	Timmons-Goodson
	<b>Decision:</b> No error		
97-881-1	Gwin v Gwin (Civil)	Mecklenburg 96CVD5420	Eagles, Jr.
	<b>Decision:</b> Reversed and remanded		
98-55-1	State v Simpson (Criminal)	Mecklenburg 96CRS26915	Lewis, Jr.
	<b>Decision:</b> No error		
98-182-1	State v Andreassen (Criminal)	Mecklenburg 96CRS52318,96CRS98801,- 96CRS52316	Walker
	<b>Decision:</b> No error		
97-790-1	Murray, et al v Associated Insurers (Civil)	N.C. Industrial Commission IC835935	Walker
	<b>Decision:</b> Affirmed		
97-1149-1	Wilkins v Bukolt (Civil)	N.C. Industrial Commission IC510346	Martin
	<b>Decision:</b> Affirmed		
97-1309-1	Jones v Candler Mobile Village (Civil)	N.C. Industrial Commission IC030293	Wynn, Jr.
	<b>Decision:</b> Affirmed		
97-1380-1	Hanes v Duracell International, et al (Civil)	N.C. Industrial Commission IC486015	Martin
	<b>Decision:</b> Affirmed		
97-1472-1	Isbell v Tower Mills, et al (Civil)	N.C. Industrial Commission IC483771	McGee

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	<b>Decision:</b> Affirmed		
98-87-1	Patterson v China Grove Textiles et al (Civil)	N.C. Industrial Commission IC982938	Lewis, Jr.
	<b>Decision:</b> Affirmed		
97-662-1	State v Moore (Criminal)	New Hanover 95CRS11454,95CRS11455,- 95CRS11453	Martin
	<b>Decision:</b> Affirmed		
97-714-1	State v Merritt (Criminal)	New Hanover 94CRS15222	Martin
	<b>Decision:</b> No error		
98-77-1	State v McBride (Criminal)	New Hanover 94CRS0498,94CRS0499,94- CRS0497,94CRS0500	Walker
	<b>Decision:</b> Affirmed		
98-112-1	State v Matthews (Criminal)	Onslow 91CRS20831	Lewis, Jr.
	<b>Decision:</b> No error		
98-37-1	State v Reid (Criminal)	Pasquotank 95CRS5544,95CRS5545,95- CRS5253	Walker
	<b>Decision:</b> No error		
98-63-1	In the matter of: Johnson (Civil)	Property Tax Commission 95PTL411	Lewis, Jr.
	<b>Decision:</b> Affirmed		
97-1080-1	State v Joyner (Criminal)	Sampson 96CRS9647,96CRS9646	Wynn, Jr.
	<b>Decision:</b> New trial		
97-192-1	Burns, et al v Stone, et al (Civil)	Union 95CVS225	John, Sr.
	<b>Decision:</b> Affirmed in part; vacated and remanded in part		
97-798-1	Fortune Personnel v Louisiana Steam (Civil)	Wake 96CVS08097	Lewis, Jr.
	<b>Decision:</b> Affirmed		
97-1168-1	State v Milligan, Fields & Bates (Criminal)	Wake 95CRS83024,95CRS83025,- 95CRS83023	Martin
	<b>Decision:</b> No error		
97-1186-1	Morgan v Wake County Health Department (Civil)	Wake 96CVS4643	Walker
	<b>Decision:</b> Affirmed in part and reversed in part		
97-1409-1	Daniels v Dunham (Civil)	Wake 95CVS00519	Wynn, Jr.
	<b>Decision:</b> Vacated and remanded		
97-1378-1	State v Davis (Criminal)	Wayne 95CRS14999	Walker
	<b>Decision:</b> No error		
98-180-1	State v Corum (Criminal)	Wilkes 97CRS1319,97CRS1318	Walker
	<b>Decision:</b> No error		
97-1054-1	State v Holyfield (Criminal)	Yadkin 94CRS3341	Martin

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**Decision:** No error. Order of Forfeiture dated 11 April of 1997-Vacated.