

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 20 SEPTEMBER 2005)**  
**(MANDATE 10 OCTOBER 2005)**

Docket #	Title	County	Judge
04-1520-1	Wilder v E.S.C. (Civil) <b>Decision:</b> Affirmed	Alamance	Hunter
04-1127-1	State v Brewton (Criminal) <b>Decision:</b> No error in conviction; remanded for resentencing	Buncombe	Geer
04-1440-1	D.B. v Blue Ridge Center (Civil) <b>Decision:</b> Vacated and remanded	Buncombe	McCullough
03-1679-1	Wallen v Riverside Sports Center (Civil) <b>Decision:</b> Reversed and remanded	Cumberland	Steelman
04-1179-1	Miller v Forsyth Memorial Hosp. (Civil) <b>Decision:</b> No error as to trial; affirmed in part and reversed and remanded in part as to costs ordered	Forsyth	Steelman
04-1005-1	Jarman v Deason (Civil) <b>Decision:</b> Affirmed	Gaston	Calabria
04-1588-1	Roberts v Roberts (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Guilford	Levinson
03-969-2	Hill v Hill (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Henderson	Calabria
04-564-1	State v Lawson (Criminal) <b>Decision:</b> Affirm, in part. Reverse and remand, in part	Lenoir	Jackson
04-736-1	State v Corey (Criminal) <b>Decision:</b> Remanded for resentencing	Martin	Elmore
04-1203-1	State v Ware (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Hunter
04-1244-1	Melton v Tindall Corp. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	McCullough
04-1379-1	Baker v Speedway Motorsports (Civil) <b>Decision:</b> Affirmed	Mecklenburg	McCullough
04-1448-1	In Re: C.C. & J.C. (Juvenile - 3.1) <b>Decision:</b> Reversed	Mecklenburg	Tyson
04-1428-1	McGhee v Bank of America (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McCullough

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04-1548-1	Easton v J.D. Denson Mowing Contractors (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Steelman
04-1283-1	State v Johnston (Criminal) <b>Decision:</b> Vacated and remanded	New Hanover	Hunter
04-546-1	State v Thorne (Criminal) <b>Decision:</b> Affirmed	Onslow	Calabria
04-1096-1	Keyzer v Amerlink, Ltd. (Civil) <b>Decision:</b> Affirmed	Orange	Levinson
04-1515-1	Johnson v Colonial Life & Accident Ins. (Civil) <b>Decision:</b> Affirmed in part, vacated in part, reversed in part and remanded	Pitt	McCullough
04-593-1	Goldston & Harrington v State & Easley (Civil) <b>Decision:</b> Affirmed	Wake	McCullough
04-1178-1	State v Alderson (Criminal) <b>Decision:</b> No error	Watauga	Bryant

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04-1268-1	State v Thompson (Criminal) <b>Decision:</b> No error	Alamance 03CRS53451	Levinson
04-1346-1	State v Fabio (Criminal) <b>Decision:</b> New trial	Buncombe 03CRS9403,03CRS56899	Steelman
04-481-1	In re: B.R.C. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Burke 03J37	Calabria
04-1290-1	State v McRae (Criminal) <b>Decision:</b> No error in trial; affirmed with respect to prior record level determination; remanded for resentencing	Durham 03CRS50926	McCullough
04-1704-1	State v Williamson (Criminal) <b>Decision:</b> Vacate judgment, Remanded for New Sentencing hearing	Durham 03CRS50549	Tyson
04-1484-1	State v Morton (Criminal) <b>Decision:</b> Reversed and remanded in part; no error in part	Forsyth 02CRS55018	Timmons-Goodson
04-137-1	State v Cupid (Criminal) <b>Decision:</b> Motion for Appropriate Relief is allowed in part and denied in part. Case remanded for resentencing.	Guilford 03CRS24126,02CRS102982,- 02CRS102985	McCullough
04-1063-1	State v Bozeman (Criminal) <b>Decision:</b> No error	Guilford 02CRS94495,02CRS94476,0- 2CRS94496,02CRS94477,03- CRS24529	Jackson
04-1271-1	State v Hamlin (Criminal) <b>Decision:</b> No error	Guilford 03CRS79883	McCullough
04-1527-1	Cline v Black (Civil) <b>Decision:</b> Affirmed	Guilford 02CVS10788	Bryant
04-1393-1	Berkow v West (Civil) <b>Decision:</b> Affirmed	Jackson 03CVD115	Hunter
04-896-1	State v Painter (Criminal) <b>Decision:</b> No error at trial; remanded for resentencing	McDowell 02CRS2020,01CRS52387,03- CRS1091,01CRS52389,03C- RS1092	Bryant
04-1462-1	In Re: C. H-D (Civil) <b>Decision:</b> Appeal dismissed	Mecklenburg 04J288	Martin
04-1509-1	International Financial v U.S.A. Rental (Civil) <b>Decision:</b> Appeal dismissed	Mecklenburg 02CVS17707	Jackson
04-1249-1	McAllister v Wal-Mart (Civil) <b>Decision:</b> Vacated and remanded	N.C. Industrial Commission IC280211	Steelman

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04-1068-1	Hopper v Flynn (Civil) <b>Decision:</b> Reversed	Pasquotank 02CVS649	Martin
04-451-1	Carolina Pride Carwash v Kendrick (Civil) <b>Decision:</b> Reversed and remanded	Person 02CVS12	Calabria
04-1291-1	State v Sprinkle (Criminal) <b>Decision:</b> No error in defendant's trial. Remanded for resentencing.	Robeson 02CRS11161,02CRS11158,0- 2CRS11159	McCullough
04-1586-1	Rabon v Caulder (Civil) <b>Decision:</b> Affirmed	Robeson 97CVD1691	Steelman
04-128-1	Hashemi v Town of Cary (Civil) <b>Decision:</b> Reverse and remand	Wake 02CVS17043	Bryant
04-813-1	State v Sinclair (Criminal) <b>Decision:</b> Remanded for resentencing	Wake 03CRS86373,03CRS86374	Elmore
04-1000-1	State v Morrison (Criminal) <b>Decision:</b> Remanded for resentencing	Wake 03CRS86370,03CRS86371	Elmore
04-1156-1	State v Hernandez (Criminal) <b>Decision:</b> Remanded for new suppression hearing; Motion for appropriate relief denied	Wake 00CRS21058,00CRS21056,0- 0CRS21059,00CRS21057,00- CRS22726	McCullough
04-1477-1	State v Castosa (Criminal) <b>Decision:</b> No error	Wake 03CRS43602,03CRS43599,0- 3CRS46344,03CRS43601	Bryant
05-38-1	State v Kittrell (Criminal) <b>Decision:</b> Vacated	Wake 04CRS12408	Tyson
04-14-1	State v McKinney (Criminal) <b>Decision:</b> Remand for resentencing	Wayne 01CRS57630,01CRS57631	Calabria
04-257-2	Godwin v Barnes (Civil) <b>Decision:</b> New trial	Wilson 02CVS1224	McGee