

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 OCTOBER 1998)**  
**(MANDATE 26 OCTOBER 1998)**

Docket #	Title	County	Judge
97-398-1	Potter v Potter (Civil) <b>Decision:</b> Reversed in part and vacated in part	Avery	John, Sr.
96-1330-2	DKH Corp. v Rankin-Patterson Oil (Civil) <b>Decision:</b> Vacated and remanded with instructions	Buncombe	Wynn, Jr.
97-1604-1	Bigger, et al v Vista Sales & Marketing (Civil) <b>Decision:</b> Affirmed	Buncombe	Wynn, Jr.
97-59-1	State v Martin (Criminal) <b>Decision:</b> No error	Cumberland	John, Sr.
97-1465-1	Hancock v Tenery (Civil) <b>Decision:</b> Affirmed	Davie	Smith
97-1329-1	State v Moore (Criminal) <b>Decision:</b> No error	Forsyth	Horton, Jr.
97-1557-1	Trivett v N.C. Baptist Hospital (Civil) <b>Decision:</b> Affirm	Forsyth	Wynn, Jr.
97-1377-1	State v Allred (Criminal) <b>Decision:</b> No error in part; vacated in part	Guilford	Timmons-Goodson
97-1513-1	Smith v Principal Mutual and E. Wood (Civil) <b>Decision:</b> Affirmed	Guilford	Eagles, Jr.
97-964-1	In Re: Cherokee Jeep (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Haywood	Lewis, Jr.
97-1530-1	Carter, et al v Moore Regional Hospital (Civil) <b>Decision:</b> Reversed and remanded	Hoke	Greene
97-1121-1	Branch Banking & Trust v Tucker, et al (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Johnston	Horton, Jr.
97-1361-1	State v Grice (Criminal) <b>Decision:</b> No error	Johnston	McGee
98-12-1	Knight Publishing Co v Chase Manhattan (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Wynn, Jr.
97-1393-1	Felmet v Duke Power Company (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Wynn, Jr.
97-1461-1	Garren, et al v P.H. Glatfelter Co. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McGee

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97-1193-1	Brooks v Southern National Corporation (Civil) <b>Decision:</b> Affirmed	Rockingham	Horton, Jr.
97-1369-1	City of Monroe v W.F. Harris Dev. (Civil) <b>Decision:</b> Affirmed	Union	Wynn, Jr.
97-211-2	Johnson, et al v First Union Corp. (Civil) <b>Decision:</b> Affirmed	Wake	McGee
97-1413-1	Brown v Weaver-Rogers Assoc., et al (Civil) <b>Decision:</b> Reversed and remanded	Wake	Martin
97-1528-1	Darryl Burke Chev. v F. Aikens/DMV (Civil) <b>Decision:</b> Affirmed	Wake	Smith
97-1492-1	State v Haas (Criminal) <b>Decision:</b> Affirmed	Watauga	Wynn, Jr.
97-963-1	State v Bright (Criminal) <b>Decision:</b> No error in part, vacated and remanded in part	Wilkes	Timmons-Goodson

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97-1468-1	In the Matter of Blankenship (Civil) <b>Decision:</b> Affirmed	Ashe 97J48	Wynn, Jr.
98-44-1	Moretz v Moretz (Civil) <b>Decision:</b> Reversed in part and remanded	Avery 95CVD508	Wynn, Jr.
98-331-1	State v Pulliam (Criminal) <b>Decision:</b> No error in part, reversed in part	Buncombe 96CRS63959 96CRS63958	Horton, Jr.
97-1212-1	Hill v Brady, et al (Civil) <b>Decision:</b> Affirmed	Carteret 97CVS239	Eagles, Jr.
97-491-1	Wilson, et al v Donayre, M.D. (Civil) <b>Decision:</b> Affirmed	Columbus 94CVS00627	John, Sr.
98-385-1	State v Turnage (Criminal) <b>Decision:</b> Affirmed	Craven 93CRS666	Horton, Jr.
97-1188-1	State v Jackson (Criminal) <b>Decision:</b> No error	Cumberland 94CRS50890	McGee
97-1546-1	Long v Wal-Mart Stores, et al (Civil) <b>Decision:</b> Reversed and remanded	Cumberland 96CVS2688	Walker
97-834-1	State v Dickens (Criminal) <b>Decision:</b> No error	Edgecombe 95CRS1162528	Eagles, Jr.
97-1278-1	State v Duggins (Criminal) <b>Decision:</b> No error	Forsyth 96CRS36724 96CRS36727 96CRS25753 96CRS36735	Horton, Jr.
97-1397-1	Falls v Noah (Civil) <b>Decision:</b> Affirmed	Forsyth 96CVS3237	McGee
97-1429-1	Tise, et al v Yates Construction Co. (Civil) <b>Decision:</b> Reversed	Forsyth 94CVS4289	John, Sr.
97-1452-1	Dodder v Yates Construction (Civil) <b>Decision:</b> Affirmed in part; reversed in part; costs taxed to appellants	Forsyth 94CVS6219	John, Sr.
97-1453-1	Hoots v Lokey (Civil) <b>Decision:</b> Affirmed	Forsyth 96CVS1596	Hunter
97-1488-1	Hill v Burns Aerospace Corp. (Civil) <b>Decision:</b> Affirmed in part and reversed as to the dismissal against Burns	Forsyth 97CVS1094	Horton, Jr.
97-1220-1	JPS Elastomerics Corp. v Stiles (Civil) <b>Decision:</b> No error in part, reversed in part, and remanded	Gaston 95CVS758	Lewis, Jr.

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97-1359-1	State v Phillips (Criminal) <b>Decision:</b> No error	Graham 95CRS537 95CRS536	Wynn, Jr.
97-1459-1	State v Wright (Criminal) <b>Decision:</b> No error in part, vacate in part	Graham 96CRS540 96CRS541 94CRS434	Wynn, Jr.
97-1315-1	State v Edwards (Criminal) <b>Decision:</b> No error in part; vacated in part	Guilford 96CRS36872 96CRS35447 96CRS36875 96CRS36869 96CRS36873 96CRS35448 96CRS36877 96CRS36870 96CRS35446 96CRS36874 96CRS35449	Timmons-Goodson
97-1338-1	Cathey, et al v Agrimax, Inc. (Civil) <b>Decision:</b> Affirmed	Guilford 96CVS5380	Walker
97-1405-1	Davis, et al v Shelby Life Ins. Co. (Civil) <b>Decision:</b> Affirmed	Guilford 96CVS7478	McGee
97-1486-1	Stevenson v Guilford County BOE (Civil) <b>Decision:</b> Affirmed	Guilford 96CVS10667	Eagles, Jr.
97-1522-1	Jackson v Wal-Mart Stores, Inc. (Civil) <b>Decision:</b> Affirmed	Harnett 96CVS01299	Smith
97-605-1	State v Mitchell (Criminal) <b>Decision:</b> No error	Hertford 95CRS2899	John, Sr.
98-43-1	Bryant v Bryant (Civil) <b>Decision:</b> Vacated and remanded	Johnston 89CVD1179	Horton, Jr.
96-1340-2	Harlow, et al v Voyager, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg 95CVS4990	Wynn, Jr.
97-1178-1	State v Williamson (Criminal) <b>Decision:</b> No prejudicial error	Mecklenburg 95CRS38777 95CRS38776	Wynn, Jr.
97-1406-1	Benefit Services v Benefit Management (Civil) <b>Decision:</b> Reversed and remanded in part, affirmed in part	Mecklenburg 94CVS7761	McGee
97-1428-1	State v Barrett (Criminal) <b>Decision:</b> No error	Mecklenburg 94CRS68890	Martin
97-1451-1	Brown, et al v Renaissance Media, Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg 96CVD12143	McGee
97-1062-1	Waddell v Ithaca Industries, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC420107	Eagles, Jr.
97-1090-1	Haislip v Colony Tire Corporation (Civil)	N.C. Industrial Commission IC449075	Martin

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	<b>Decision:</b> Affirmed in part and reversed in part		
97-1094-1	Seagle v Kent-Coffey Manuf., et al (Civil)	N.C. Industrial Commission IC028828	Lewis, Jr.
	<b>Decision:</b> Affirmed in part, reversed in part and remanded		
97-1349-1	Jackson v Cumberland Group Homes (Civil)	N.C. Industrial Commission IC480490	Walker
	<b>Decision:</b> Affirmed		
97-1404-1	Openshaw v Buxton Chiropractic Clinic (Civil)	N.C. Industrial Commission IC076960	Wynn, Jr.
	<b>Decision:</b> Affirmed		
97-1419-1	Stephenson v Pitt Co. Hospital (Civil)	N.C. Industrial Commission IC455256	Lewis, Jr.
	<b>Decision:</b> Affirmed		
97-1450-1	Hollins v Morganite, Inc. (Civil)	N.C. Industrial Commission IC473930	Wynn, Jr.
	<b>Decision:</b> Affirmed		
97-1455-1	Powell v Circle S Diner (Civil)	N.C. Industrial Commission IC546406	Wynn, Jr.
	<b>Decision:</b> Affirm		
97-1600-1	Everett v Sara Lee Corporation (Civil)	N.C. Industrial Commission IC373242	Wynn, Jr.
	<b>Decision:</b> Affirmed		
98-357-1	McKeel v James Finch Chevrolet (Civil)	N.C. Industrial Commission IC138640	Horton, Jr.
	<b>Decision:</b> Affirmed		
98-435-1	Hoff v Consolidated Diesel Company (Civil)	N.C. Industrial Commission IC470335	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-1383-1	State, ex rel. v Charlotte Van & Stg. (Civil)	N.C. Utilities Commission T4096	McGee
	<b>Decision:</b> Affirmed		
98-223-1	State v Owens (Criminal)	Onslow 97CRS2141	Horton, Jr.
	<b>Decision:</b> No error		
97-1089-1	State v Murphy (Criminal)	Pender 92CRS3311 92CRS3312 92CRS3310 92CRS3313	Martin
	<b>Decision:</b> No error		
98-394-1	In Re: Robinson Child (Civil)	Pitt 97J21	Horton, Jr.
	<b>Decision:</b> Affirmed		
97-777-1	Smith, et al v The City of Reidsville (Civil)	Rockingham 96CVS889	John, Sr.
	<b>Decision:</b> Affirmed		
97-913-1	State v Chatham (Criminal)	Rockingham 92CRS4938	John, Sr.
	<b>Decision:</b> No error		
98-21-1	Murray v Russ (Civil)	Union 94CVD1025	Wynn, Jr.
	<b>Decision:</b> Affirmed in part, vacated and remanded in part		

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97-1345-1	Linville v Linville (Moriarty) (Civil) <b>Decision:</b> Affirmed	Wake 94CVD2300	Lewis, Jr.
97-1529-1	Royal Pontiac GMC v Aikens (Civil) <b>Decision:</b> Affirmed	Wake 96CVSW11609	Smith
98-411-1	Fox v Fox (Civil) <b>Decision:</b> Affirmed	Wake 97CVD11892	Horton, Jr.
98-344-1	Tucker v Rand (Civil) <b>Decision:</b> Affirmed	Wayne 93CVS662	Horton, Jr.