

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 NOVEMBER 1998)**  
**(MANDATE 7 DECEMBER 1998)**

| Docket #  | Title                                                                                                    | County                     | Judge       |
|-----------|----------------------------------------------------------------------------------------------------------|----------------------------|-------------|
| 98-107-1  | State v Andrews (Criminal)<br><b>Decision:</b> No error                                                  | Davidson                   | Horton, Jr. |
| 98-157-1  | Durham County v NC Dept ENR (Civil)<br><b>Decision:</b> Affirmed                                         | Durham                     | Smith       |
| 97-1589-1 | Williamson v Food Lion, Inc. (Civil)<br><b>Decision:</b> No error                                        | Guilford                   | Lewis, Jr.  |
| 97-1574-1 | Rowe v Rowe (Civil)<br><b>Decision:</b> Dismissed                                                        | Mecklenburg                | Walker      |
| 97-1437-1 | Hollingsworth v Cardinal Container Serv (Civil)<br><b>Decision:</b> Reversed and remanded                | N.C. Industrial Commission | Lewis, Jr.  |
| 97-1445-1 | Sanders v Broyhill Furniture (Civil)<br><b>Decision:</b> Affirmed                                        | N.C. Industrial Commission | Eagles, Jr. |
| 98-192-1  | Locklear v Stedman Corp., et al (Civil)<br><b>Decision:</b> Affirmed                                     | N.C. Industrial Commission | Horton, Jr. |
| 97-1407-1 | Taylor v Robinson (Civil)<br><b>Decision:</b> Reversed                                                   | Onslow                     | Martin      |
| 98-326-1  | Crist v City of Jacksonville (Civil)<br><b>Decision:</b> Reversed and remanded                           | Onslow                     | Horton, Jr. |
| 97-862-1  | State v Love (Criminal)<br><b>Decision:</b> No error                                                     | Robeson                    | Lewis, Jr.  |
| 98-424-1  | State v Dayberry (Criminal)<br><b>Decision:</b> No error in the judgment; remanded for sanctions hearing | Rutherford                 | Greene      |
| 97-1423-1 | Neal v Fayetteville State University (Civil)<br><b>Decision:</b> Reversed and remanded                   | Wake                       | Walker      |

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| 98-637-1  | State v Lawrence (Criminal)                                                                                             | Beaufort<br>97CRS834 97CRS836<br>97CRS833     | Martin          |
|           | <b>Decision:</b> Judgment arrested in 97CRS836; remanded for resentencing in 97CRS833; in all other respects, no error. |                                               |                 |
| 98-469-1  | Webb v Berryman (Civil)                                                                                                 | Chowan<br>95CVS290                            | Greene          |
|           | <b>Decision:</b> Affirmed                                                                                               |                                               |                 |
| 97-1206-1 | Brown v Terry, et al (Civil)                                                                                            | Durham<br>96CVS2003                           | Timmons-Goodson |
|           | <b>Decision:</b> Affirmed                                                                                               |                                               |                 |
| 98-434-1  | Whitaker v Harris (Civil)                                                                                               | Edgecombe<br>95CVS1295                        | Greene          |
|           | <b>Decision:</b> Affirmed                                                                                               |                                               |                 |
| 97-1463-1 | State v Burgess (Criminal)                                                                                              | Forsyth<br>96CRS41277 97CRS8169<br>96CRS41194 | Walker          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 98-498-1  | State v Bass (Criminal)                                                                                                 | Guilford<br>97CRS58290                        | Greene          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 98-613-1  | State v Wrenn (Criminal)                                                                                                | Guilford<br>97CRS045898                       | Martin          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 98-720-1  | The Matter of: Estate of E. Hodgin, Jr. (Civil)                                                                         | Guilford<br>97E802                            | Martin          |
|           | <b>Decision:</b> Dismissed                                                                                              |                                               |                 |
| 97-408-1  | State v Worney (Criminal)                                                                                               | Harnett<br>96CRS468 94CRS4637                 | John, Sr.       |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 97-937-1  | Rush v Employers Insurance, et al (Civil)                                                                               | Henderson<br>97CVS174                         | John, Sr.       |
|           | <b>Decision:</b> Affirmed                                                                                               |                                               |                 |
| 98-656-1  | State v Brown (Criminal)                                                                                                | Hertford<br>96CRS4424                         | Martin          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 98-10-1   | Clifton v Clifton (Civil)                                                                                               | Johnston<br>95CVS1279                         | Smith           |
|           | <b>Decision:</b> Appeal dismissed                                                                                       |                                               |                 |
| 98-318-1  | Keith v Friend, et al (Civil)                                                                                           | Johnston<br>96CVS1821                         | Horton, Jr.     |
|           | <b>Decision:</b> Dismissed                                                                                              |                                               |                 |
| 98-425-1  | State v Clanton (Criminal)                                                                                              | Mecklenburg<br>95CRS46855 95CRS46854          | Greene          |
|           | <b>Decision:</b> Affirmed                                                                                               |                                               |                 |
| 98-477-1  | State v Cook (Criminal)                                                                                                 | Mecklenburg<br>96CRS13609 96CRS13607          | Greene          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |
| 98-548-1  | State v Laney (Criminal)                                                                                                | Mecklenburg<br>96CRS54471                     | Greene          |
|           | <b>Decision:</b> No error                                                                                               |                                               |                 |

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| 97-1449-1 | Morris v US Airways (Civil)<br><b>Decision:</b> Affirmed                    | N.C. Industrial Commission<br>IC364903                 | Martin      |
| 98-455-1  | Moseley v Blythe Equipment Co. (Civil)<br><b>Decision:</b> Affirmed         | N.C. Industrial Commission<br>IC548832                 | Martin      |
| 98-502-1  | State v Harris (Criminal)<br><b>Decision:</b> Affirmed                      | Onslow<br>97CRS7867                                    | Greene      |
| 98-28-1   | State v Mewborn (Criminal)<br><b>Decision:</b> Vacated in part              | Pitt<br>96CRS22362 96CRS22361                          | Horton, Jr. |
| 98-612-1  | State v Cherry (Criminal)<br><b>Decision:</b> No error                      | Pitt<br>96CRS14460 96CRS14962<br>96CRS14418 96CRS16710 | Martin      |
| 98-202-1  | Morris v Coble (Civil)<br><b>Decision:</b> Affirmed                         | Randolph<br>95CVS596                                   | Horton, Jr. |
| 98-666-1  | State v Holloway (Criminal)<br><b>Decision:</b> No error                    | Rutherford<br>97CRS8544                                | Martin      |
| 98-178-1  | In The Matter of The Will of: Simmons (Civil)<br><b>Decision:</b> Affirmed  | Surry<br>96CVS495                                      | Horton, Jr. |
| 98-468-1  | In The Matter of: Steven & John Manley (Civil)<br><b>Decision:</b> Affirmed | Surry<br>96J71A 94J68A                                 | Martin      |
| 97-1243-1 | Gill v Phiffer, et al (Civil)<br><b>Decision:</b> No error                  | Wake<br>96CVS2140                                      | Martin      |
| 98-578-1  | State v Patton (Criminal)<br><b>Decision:</b> No error                      | Wake<br>97CRS87853                                     | Martin      |
| 98-595-1  | State v Holden (Criminal)<br><b>Decision:</b> No error                      | Wake<br>97CRS23858 97CRS12752                          | Greene      |
| 98-641-1  | State v Brown (Criminal)<br><b>Decision:</b> No error                       | Wake<br>97CRS41891                                     | Martin      |
| 98-438-1  | State v Taylor (Criminal)<br><b>Decision:</b> No error                      | Wayne<br>97CRS46459835                                 | Greene      |