

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 1 DECEMBER 1998)**  
**(MANDATE 21 DECEMBER 1998)**

Docket #	Title	County	Judge
97-1484-1	O'Brien v O'Brien (Civil) <b>Decision:</b> Affirmed	Beaufort	Horton, Jr.
97-1399-1	State v Hines & Leak (Criminal) <b>Decision:</b> New trial	Durham	Greene
98-131-1	Duke Univ. v Bishop & London (Civil) <b>Decision:</b> Dismissed	Durham	Smith
97-1249-1	Albrecht, et al v Dorsett (Civil) <b>Decision:</b> No error	Forsyth	Timmons-Goodson
98-24-1	State v Coria (Criminal) <b>Decision:</b> No error	Forsyth	Martin
97-1560-1	State v Hall (Criminal) <b>Decision:</b> No error	Gaston	Smith
98-213-1	Coleman, et al v Rudisill, et al (Civil) <b>Decision:</b> Affirmed	Gaston	Martin
97-1572-1	Cox v Dine-A-Mate, et al (Civil) <b>Decision:</b> Affirmed	Guilford	Greene
98-71-1	Fields v Dery (Civil) <b>Decision:</b> Affirmed	Guilford	McGee Motion filed 21 December designating as a published opinion.
97-1607-1	State v Small (Criminal) <b>Decision:</b> No error	Harnett	Smith Opinion ordered to be published 12-14-98
98-164-1	State v Mewborn (Criminal) <b>Decision:</b> No error	Lenoir	Smith
97-1143-1	Gaston County Dyeing v Northfield Ins. (Civil) <b>Decision:</b> Reversed in part affirmed in part and remanded	Mecklenburg	Timmons-Goodson
98-38-1	Alwart, et al v State Farm Fire (Civil) <b>Decision:</b> Affirmed	New Hanover	Hunter
98-305-1	Ruff, et al v Parex, Inc., et al (Civil) <b>Decision:</b> Reversed and remanded	New Hanover	Horton, Jr.
98-84-1	Friend-Novorska v Novorska (Civil) <b>Decision:</b> Affirmed	Orange	Horton, Jr.
98-60-1	Stroud v Harrison, et al (Civil) <b>Decision:</b> Affirmed	Person	McGee

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97-857-1	Timour v Pitt County Memorial Hospital (Civil) <b>Decision:</b> Reversed and remanded	Pitt	Martin
97-1316-1	State v Alston (Criminal) <b>Decision:</b> Reversed	Randolph	Greene
97-1508-1	State v Childers (Criminal) <b>Decision:</b> No error	Richmond	Timmons-Goodson
97-719-1	Rodwell, et al v Chamblee (Civil) <b>Decision:</b> Reversed in part, affirmed in part and remanded	Wake	Greene
97-1489-1	State v Saunders (Criminal) <b>Decision:</b> Remanded for resentencing	Wake	Hunter
98-279-1	D.G. Matthews & Son v McDevitt (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded for further remand to DENR	Wake	Smith

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Docket #	Title	County	Judge
97-894-1	State v Woods & Woods (Criminal)	Alamance 94CRS32415 94CRS32410 95CRS15739 95CRS15748 95CRS15741 94CRS32413 95CRS15729736 95CRS15745 94CRS32419 94CRS32411 94CRS32396402 95CRS15742 94CRS32414 94CRS3249 95CRS15738 95CRS15747 95CRS15740 94CRS32412 94CRS32404407 95CRS15744	McGee
	<b>Decision:</b> No error in the convictions of Melisa Woods No error and find them to have no merit. No error in the convictions of Raymond Woods, except that his convictions of acting in concert in obtaining property by false pretenses are vacated in 94-CRS-32413, 95-CRS-15740, 95-CRS-15744 and 95-CRS-15747.		
98-160-1	Cutler v Winslow (Civil)	Beaufort 96CVS827	Walker
	<b>Decision:</b> No error		
97-1556-1	Lee v Moore, et al (Civil)	Bladen 97CVS0197	Greene
	<b>Decision:</b> Affirmed		
97-1592-1	Buncombe Co. DSS v Guthrie (Civil)	Buncombe 96CVD5467	Smith
	<b>Decision:</b> Affirmed		
98-323-1	In The Matter of: Kristina Davis (Civil)	Buncombe 96J13	Smith
	<b>Decision:</b> Affirmed		
98-685-1	In Re: Zachary Taylor (Civil)	Cabarrus 95J130	Smith
	<b>Decision:</b> Affirmed		
97-1258-1	Johnson v Lily Transportation Corp. (Civil)	Catawba 96CVS1289	Greene
	<b>Decision:</b> Affirmed		
98-583-1	In The Matter of: Jonathan E. Hess (Criminal)	Dare 97J10	Smith
	<b>Decision:</b> Vacated and remanded		
97-1391-1	Bowers, et al v City of Thomasville (Civil)	Davidson 96CVS1673	Martin
	<b>Decision:</b> Affirmed in part reversed in part, and remanded		
97-1446-1	State v Gordon (Criminal)	Davidson 96CRS8256 96CRS8017	Walker
	<b>Decision:</b> No error		
97-1516-1	State v Allen (Criminal)	Durham 96CRS23487 96CRS5022	McGee
	<b>Decision:</b> Reversed		
98-729-1	State v Farley (Criminal)	Forsyth 97CRS29998	Smith
	<b>Decision:</b> No error		
97-1585-1	Kelly v Weyerhaeuser Company (Civil)	Lee 96CVS920	Walker
	<b>Decision:</b> Affirmed		

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98-264-1	Town of Aberdeen v Town of Aberdeen BOA (Civil) <b>Decision:</b> Affirmed	Moore 97CVS819	Martin
97-1286-1	Puzio v Dennis Bost Construction Co. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC237572	Greene
97-1487-1	Smith v Burlington Industries (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC434881	Martin
97-1503-1	Swain v C & N Evans Trucking Co., Inc. (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	N.C. Industrial Commission IC143034	Martin
98-113-1	Alejandro v Willamette Industries (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC545745	Martin
98-204-1	Tracy v Guilford County (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC203762	Martin
98-655-1	Ashley v Black & Decker (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC179455	Smith
97-1283-1	Harris v New Hanover Regional (Civil) <b>Decision:</b> Affirmed	New Hanover 97CVS510	Martin
97-1593-1	Justice v Whaley, et al (Civil) <b>Decision:</b> Affirmed	Onslow 95SP282	Greene
97-1517-1	Orange Co. v Evans (Civil) <b>Decision:</b> Affirmed	Orange 96CVD1567	Martin
97-1609-1	Savage v Savage (Civil) <b>Decision:</b> Affirmed	Orange 95CVD1510	Walker
98-272-1	Tomlinson v Barnes (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Pender 96CVD170	Smith
98-70-1	State v Dawkins (Criminal) <b>Decision:</b> No error	Richmond 96CRS349	Martin
97-1466-1	State v Santos (Criminal) <b>Decision:</b> New trial	Rowan 96CRS255	Greene
97-1610-1	Brooks v Lewis, et al (Civil) <b>Decision:</b> Affirmed	Wake 95CVS6179	Greene
98-254-1	Jones v Coker, et al (Civil) <b>Decision:</b> Reversed and remanded	Wake 97CVS07610	McGee
98-678-1	Federal Financial Co., v Brady, et al (Civil) <b>Decision:</b> Appeal dismissed	Wake 96CVS11683	Smith

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98-785-1	State v Scott (Criminal)	Wake 96CRS43805 96CRS43806 96CRS43804	Smith
	<b>Decision:</b> No error		
98-596-1	Bass v Faircloth (Civil)	Wilson 96CVS775	Smith
	<b>Decision:</b> No error		