

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 6 APRIL 1999)
(MANDATE 26 APRIL 1999)

| Docket # | Title | County | Judge |
|-----------|---|-------------|-----------------|
| 98-485-1 | Andrews v Alamance County, et al (Civil) Decision: Reversed | Alamance | Walker |
| 98-604-1 | State v Reaves (Civil) Decision: No error | Brunswick | Edmunds, Jr. |
| 98-577-1 | State v Hyatt (Civil) Decision: New trial | Buncombe | Wynn, Jr. |
| 98-820-1 | Dillingham v NC DHR (Civil) Decision: Reversed and remanded | Buncombe | Martin |
| 98-383-1 | State v Summers (Criminal) Decision: New trial | Durham | Hunter |
| 98-451-1 | Falk Integrated Technologies v Stack (Civil) Decision: Reversed | Forsyth | John, Sr. |
| 98-790-1 | Wiggins v Pelikan, Inc. (Civil) Decision: Affirmed | Gates | Martin |
| 96-1067-1 | Teleflex Information v Arnold (Civil) Decision: Affirmed | Guilford | Horton, Jr. |
| 97-1303-1 | Romig v Jefferson-Pilot Life (Civil) Decision: Dismissed | Guilford | Timmons-Goodson |
| 98-530-1 | State v Moore (Criminal) Decision: Reversed | Guilford | Walker |
| 98-634-1 | State v Cintron (Criminal) Decision: New trial | Guilford | Greene |
| 98-757-1 | Middleton v The Russell Group, et al (Civil) Decision: Affirmed | Guilford | Horton, Jr. |
| 98-712-1 | Gibson v Faulkner (Civil) Decision: Affirmed | Haywood | Horton, Jr. |
| 98-726-1 | Rice v Danas, Incorporated (Civil) Decision: Affirmed | Lee | Horton, Jr. |
| 98-460-1 | State v Phillips (Criminal) Decision: No error | Mecklenburg | Eagles, Jr. |
| 98-673-1 | Vogl v LVD Corporation, et al (Civil) Decision: Affirmed | Mecklenburg | Wynn, Jr. |
| 98-686-1 | Haight, et al v Travelers/Aetna (Civil) Decision: Reversed and remanded | Mecklenburg | Timmons-Goodson |

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| 98-626-1 | State v Woody (Criminal) Decision: Judgment vacated | Mitchell | Edmunds, Jr. |
| 97-869-1 | Davis v Weyerhaeuser Co. (Civil) Decision: Affirmed | N.C. Industrial Commission | Greene |
| 98-672-1 | Peeler v Piedmont Elastic, Inc. (Civil) Decision: Affirmed in part, reversed in part and remanded | N.C. Industrial Commission | Lewis, Jr. |
| 98-812-1 | Higgins v Michael Powell Builders (Civil) Decision: Affirmed | N.C. Industrial Commission | Martin From unpublished to published 4-20-99 |
| 98-759-1 | State of NC, ex rel v MCI, et al (Civil) Decision: Reversed | N.C. Utilities Commission | Greene |
| 98-794-1 | Centura Bank v Executive Leather, Inc. (Civil) Decision: Affirmed | Nash | Timmons-Goodson |
| 98-329-1 | Brandon v Brandon (Civil) Decision: Reversed | New Hanover | Greene |
| 98-373-1 | State v Adams (Criminal) Decision: Reversed | Randolph | John, Sr. |
| 98-764-1 | Gibbons, et al v Cole, et al (Civil) Decision: Affirmed in part and vacated and remanded in part | Richmond | Eagles, Jr. |
| 97-956-2 | Union Carbide Corp. v Offerman (Civil) Decision: Affirmed | Wake | Lewis, Jr. |
| 98-374-1 | Williams v 100 Block Associates (Civil) Decision: Affirmed | Wake | McGee |
| 98-780-1 | State, Long v ILA Corp. (Civil) Decision: Affirmed | Wake | Edmunds, Jr. |
| 98-368-1 | Webb v McKeel (Civil) Decision: Appeal dismissed | Wilson | Per Curiam |
| 98-783-1 | Holcomb v Holcomb (Civil) Decision: Affirmed in part; vacated and remanded in part | Wilson | Horton, Jr. |
| 98-627-1 | Seigel v Patel, et al (Civil) Decision: Affirmed | Yadkin | Lewis, Jr. |

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| 98-642-1 | State v Foster (Criminal) | Alamance 97CRS7491 97CRS7486 97CRS7489 97CRS9883 97CRS7487 97CRS7490 97CRS7485 97CRS7488 | Martin |
| | Decision: Affirmed; motion for appropriate relief denied | | |
| 98-1239-1 | State v Street (Criminal) | Alamance 97CRS23874 97CRS23875 97CRS23873 | Lewis, Jr. |
| | Decision: No error | | |
| 97-1042-1 | In the Matter of: Bentley (Criminal) | Alexander 95J25 | Timmons-Goodson |
| | Decision: Affirmed | | |
| 98-217-1 | In The Matter of: N.R. Roberts, et al (Civil) | Buncombe 96CVS5526 | Timmons-Goodson |
| | Decision: Reversed and remanded | | |
| 98-653-1 | Ireland v Lam (Civil) | Buncombe 96CVD2298 | Eagles, Jr. |
| | Decision: Affirmed in part and vacated in part | | |
| 98-860-1 | In The Matter of: Emily Tremblay (Civil) | Buncombe 97J265 | McGee |
| | Decision: Affirmed | | |
| 98-975-1 | Clay v Clay (Civil) | Buncombe 96CVD1795 | Lewis, Jr. |
| | Decision: Dismissed | | |
| 97-1471-1 | In Re: Makala E. Bailey (Civil) | Caldwell 96J52 | John, Sr. |
| | Decision: Affirmed; costs taxed personally to counsel for appellee | | |
| 98-723-1 | Startown Fence Co. v Newsom Const. (Civil) | Catawba 96CVD516 | Greene |
| | Decision: Appeal dismissed | | |
| 97-914-1 | State v Wilson (Criminal) | Cleveland 96CRS12519 96CRS12522 96CRS12520 96CRS10145 96CRS12521 | Timmons-Goodson |
| | Decision: No error | | |
| 98-791-1 | Bradfield v Bradfield (Civil) | Craven 95CVD1169 | Edmunds, Jr. |
| | Decision: Affirmed | | |
| 97-1187-1 | State v Henagan (Criminal) | Cumberland 95CRS32325 95CRS60555 95CRS32324 96CRS8097 | John, Sr. |
| | Decision: No error | | |
| 98-693-1 | Necaise v Mitchell, et al (Civil) | Cumberland 97CVS4129 | Edmunds, Jr. |
| | Decision: Reversed and remanded | | |
| 98-923-1 | State v Warren (Criminal) | Edgecombe 97CRS1724 | Lewis, Jr. |
| | Decision: No error | | |
| 98-309-1 | State v Bitting (Criminal) | Forsyth 97CRS35760 97CRS23155 | Martin |

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| | Decision: Affirmed | | |
| 98-879-1 | State v Benjamin (Criminal) | Forsyth 98CRS4461 97CRS35189 | Lewis, Jr. |
| | Decision: No error | | |
| 98-710-1 | Luard v Ross Angel Assoc. Inc. (Civil) | Guilford 97CVS3959 | Edmunds, Jr. |
| | Decision: Affirmed | | |
| 98-371-1 | State v Parks (Criminal) | Harnett 96CRS13830 | Walker |
| | Decision: No error | | |
| 98-454-1 | Hess v Radius Motorsports, Inc. (Civil) | Lincoln 95CVS498 | Martin |
| | Decision: Affirmed | | |
| 98-611-1 | State v Fite (Criminal) | Mecklenburg 96CRS25314 | Wynn, Jr. |
| | Decision: No error | | |
| 98-784-1 | Government Emp. v Eaton, et al (Civil) | Mecklenburg 97CVS5731 | Greene |
| | Decision: Affirmed | | |
| 98-1044-1 | Brame v Sharpe (Civil) | Mecklenburg 93CVD13666JVH | Lewis, Jr. |
| | Decision: Affirmed | | |
| 98-1045-1 | In The Matter of: Nicholas J. Johnson (Criminal) | Mecklenburg 98J99 | Lewis, Jr. |
| | Decision: Affirmed | | |
| 97-1476-1 | State, ex rel v Purvis Farms (Civil) | Montgomery 95CVS517 | Lewis, Jr. |
| | Decision: Reversed | | |
| 98-246-1 | Smith, et al v Blankenship, et al (Civil) | Montgomery 96CVS58 | Greene |
| | Decision: Affirmed | | |
| 98-529-1 | Latham, et al v McBride, et al (Civil) | Montgomery 92CVD74 | Lewis, Jr. |
| | Decision: As to the order denying plaintiffs' motion to reopen the case, affirmed. As to the amended judgment, no error. | | |
| 98-845-1 | Williams v Jenkins (Civil) | Moore 97CVS479 | Walker |
| | Decision: Affirmed | | |
| 98-437-1 | Ziglar v City of Winston-Salem (Civil) | N.C. Industrial Commission IC128709 | Martin |
| | Decision: Affirmed and remanded with instructions | | |
| 98-719-1 | Morgan v American Airlines (Civil) | N.C. Industrial Commission IC435683 | Wynn, Jr. |
| | Decision: Affirmed | | |
| 98-776-1 | Fariss v Bridgestone/Firestone, Inc. (Civil) | N.C. Industrial Commission IC173665 | Lewis, Jr. |
| | Decision: Affirmed | | |
| 98-1088-1 | Wilson v Freightliner Corp. (Civil) | N.C. Industrial Commission IC405018 | Lewis, Jr. |
| | Decision: Affirmed | | |

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| 98-632-1 | State v Thomas (Criminal) Decision: Vacated and remanded for reinstatement of the jury verdict and sentencing | Onslow 97CRS7612 97CRS7611 | Horton, Jr. |
| 98-743-1 | Parker, et al v SC Insurance Co.. (Civil) Decision: Affirmed | Onslow 96CVS3041 | Lewis, Jr. |
| 98-566-1 | Hughes v Triangle Waterproofing (Civil) Decision: Affirmed | Orange 97CVD50 | McGee |
| 98-991-1 | State v Gauldin (Criminal) Decision: In sum, the judgment revoking defendant's probation in 95CRS4807 is vacated. As to the remaining judgments, no error. 95CRS4807--vacated. 95CRS3375, 7144, 8382-8388, 8390-8395, 8397-8399, 8215-8216, 8219-8221; and 98CRS4806--no error. | Rockingham 95CRS8397 95CRS8390 95CRS8398 95CRS8215 95CRS8399 95CRS11561 95CRS8386 95CRS11556 95CRS7144 95CRS8216 95CRS8391 95CRS11559 95CRS8384 95CRS8221 95CRS8394 98CRS4806 95CRS8387 95CRS11557 95CRS8382 95CRS8219 95CRS8392 95CRS11560 95CRS8385 95CRS11555 95CRS3375 95CRS8395 98CRS4807 95CRS8388 95CRS11558 95CRS8383 95CRS8220 95CRS8393 | Lewis, Jr. |
| 97-1454-1 | State v Boothe (Criminal) Decision: No error | Stokes 96CRS2943 96CRS5949 96CRS2942 | Hunter |
| 98-99-1 | Stokes County DSS v Duncan (Civil) Decision: Affirmed in part, vacated and remanded in part | Stokes 96CVD60 | Horton, Jr. |
| 98-516-1 | Simmons v Gardner (Civil) Decision: Affirmed | Surry 97CVS278 | Lewis, Jr. |
| 98-706-1 | Crowder v Crowder (Civil) Decision: Reversed and remanded with instructions | Vance 95CVD749 | Wynn, Jr. |
| 98-590-1 | Tuttle Community v Coleman, et al (Civil) Decision: Affirmed | Wake 96CVS11449 | Eagles, Jr. |
| 98-608-1 | State v Boone (Criminal) Decision: No error | Wayne 96CRS4594 | Eagles, Jr. |
| 98-576-1 | Jones v Sanders, et al (Civil) Decision: Affirmed | Wilson 95CVS1613 | Edmunds, Jr. |