

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

Docket #	Title	County	Judge
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98-812-1	Higgins v Michael Powell Builders (Civil) Decision: Affirmed	N.C. Industrial Commission	Martin From unpublished to published 4-20-99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.

**IN THE
COURT OF APPEALS**

CASES REPORTED WITHOUT PUBLISHED OPINIONS

**(FILED 6 APRIL 1999)
(MANDATE 26 APRIL 1999)**

Docket #	Title	County	Judge
98-642-1	State v Foster (Criminal)	Alamance 97CRS7491,97CRS7486,97- CRS7489,97CRS9883,97CR- S7487,97CRS7490,97CRS7- 485,97CRS7488	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

Docket #	Title	County	Judge
	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		

Docket #	Title	County	Judge
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 95CRS8397,95CRS8390,95- CRS8398,95CRS8215,95CR- S8399 95CRS11561,95CRS8386,9- 5CRS11556,95CRS7144,95- CRS8216,95CRS8391,95CR- S11559,95CRS8384,95CRS- 8221,95CRS8394,98CRS48- 06,95CRS8387,95CRS1155- 7,95CRS8382,95CRS8219,9- 5CRS8392,95CRS11560,95- CRS8385,95CRS11555,95C- RS3375,95CRS8395,98CRS- 4807,95CRS8388,95CRS11- 558,95CRS8383,95CRS822- 0,95CRS8393	Lewis, Jr.
97-1454-1	State v Boothe (Criminal) Decision: No error	Stokes 96CRS2943,96CRS5949,96- CRS2942	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.