

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 OCTOBER 1999)**  
**(MANDATE 8 NOVEMBER 1999)**

Docket #	Title	County	Judge
98-840-1	Osburn, et al v Danek Medical, Inc. (Civil) <b>Decision:</b> No error	Buncombe	John, Sr.
98-1531-1	Parchment v Garner, et al (Civil) <b>Decision:</b> Affirmed	Davie	Timmons-Goodson
98-1488-1	Norris v Zambito, et al (Civil) <b>Decision:</b> Affirmed	Durham	Martin
99-496-1	State v Bright (Criminal) <b>Decision:</b> Remanded for resentencing	Durham	McGee
98-1583-1	Napier v Napier (Civil) <b>Decision:</b> Reversed and remanded	Forsyth	Greene
98-1568-1	In The Matter: Krantz (Civil) <b>Decision:</b> Reversed and remanded	Guilford	Greene
98-1362-1	Wilburn v Honeycutt (Civil) <b>Decision:</b> Reversed and remanded	Harnett	Lewis, Jr.
98-1355-1	Coiner v Cales (Civil) <b>Decision:</b> Reversed and remanded	Iredell	Eagles, Jr.
98-1528-1	Penland, et al v Harris (Civil) <b>Decision:</b> Affirmed	Iredell	Martin
98-1491-1	In Re: Espinosa v Martin, et al (Civil) <b>Decision:</b> Affirmed	Jackson	Horton, Jr.
99-55-1	State v Smith (Criminal) <b>Decision:</b> Reversed and remanded	Lenoir	McGee
98-1468-1	In The Matter of: Ellis (Civil) <b>Decision:</b> Affirmed	Lincoln	Horton, Jr.
98-1329-1	State v Marine (Criminal) <b>Decision:</b> No error	McDowell	Lewis, Jr.
98-1246-1	McGee v N. C. Dept. of Revenue (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Walker
98-1289-1	Ruggery v NCDOC (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Timmons-Goodson
98-1297-1	Moore v City of Raleigh (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Hunter
98-1527-1	Rivera v Trapp (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Eagles, Jr.

Docket #	Title	County	Judge
98-1300-1	Franzen v Franzen (Civil) <b>Decision:</b> Affirmed	New Hanover	Lewis, Jr.
98-1391-1	K&S Enterprises v Kennedy Office Supply (Civil) <b>Decision:</b> Affirmed	New Hanover	Timmons-Goodson
98-1440-1	In re: Southeastern Baptist Seminary (Civil) <b>Decision:</b> Affirmed	Property Tax Commission	Edmunds, Jr.
98-1185-1	Canoy v Canoy, et al (Civil) <b>Decision:</b> Affirmed	Randolph	Hunter
98-1315-1	State v White (Criminal) <b>Decision:</b> New trial	Wake	Horton, Jr.

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99-337-1	State v Elliott (Criminal) <b>Decision:</b> No error	Ashe 97CRS1530,97CRS1529	McGee
98-1415-1	Just-In-Time Knitting v Cadillac Shoe (Civil) <b>Decision:</b> Dismissed and remanded to the trial court for further proceedings	Cabarrus 94CVS623	Walker
98-1353-1	Farmer, et al v Lane (Civil) <b>Decision:</b> Affirmed	Carteret 94CVS892	Walker
98-915-1	State v Meyers (Criminal) <b>Decision:</b> No error in the trial; sentence is vacated and remanded.	Cleveland 97CRS9953	Walker
98-1462-1	Jones v Purington, et al (Civil) <b>Decision:</b> Dismissed	Edgecombe 95CVS993	Lewis, Jr.
98-1396-1	State v Spence (Criminal) <b>Decision:</b> No error	Forsyth 97CRS35933,98CRS8251	Hunter
98-1474-1	State v Hudson (Criminal) <b>Decision:</b> No error	Forsyth 98CRS13403,98CRS4051	Horton, Jr.
98-1432-1	State v Meyers (Criminal) <b>Decision:</b> No error in the trial; sentence is vacated and remanded.	Gaston 97CRS17915,97CRS16401	Walker
99-534-1	State v Putnam (Criminal) <b>Decision:</b> No error	Gaston 98CRS20152	McGee
98-1324-1	State v Dye (Criminal) <b>Decision:</b> No error	Guilford 97CRS60073	Timmons-Goodson
98-1357-1	Wester v Whethington (Civil) <b>Decision:</b> Affirmed	Harnett 94CVS1786	McGee
99-486-1	State v McAllister (Criminal) <b>Decision:</b> No error	Johnston 98CRS19499,98CRS17845	McGee
98-1392-1	State v Reid (Criminal) <b>Decision:</b> No error	Lee 96CRS1673,96CRS1672	McGee
99-329-1	State v Deckelman (Criminal) <b>Decision:</b> No error	Lee 97CRS8622	McGee
99-384-1	State v Barnett (Criminal) <b>Decision:</b> No error	McDowell 98CRS384,95CRS5583	McGee
98-1551-1	Holder v Billings v Klewicki (Civil) <b>Decision:</b> Dismissed	Mecklenburg 96CVD2027	McGee
98-1635-1	Park Lake Recreation v Grant (Civil)	Mecklenburg 97CVD5746	John, Sr.

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	<b>Decision:</b> Affirmed		
99-327-1	State v Kraemer (Criminal)	Mecklenburg 97CRS042928	McGee
	<b>Decision:</b> No error		
99-443-1	State v Dalton (Criminal)	Mecklenburg 98CRS112917,98CRS112915	McGee
	<b>Decision:</b> No error		
98-1189-1	State v Wright (Criminal)	New Hanover 97CRS6493	McGee
	<b>Decision:</b> No error		
99-363-1	State v Fonville (Criminal)	Onslow 98CRS8633,98CRS8632	McGee
	<b>Decision:</b> No error		
98-1476-1	Cannon v Cannon (Civil)	Pitt 98CVS507,97CVS2062	Per Curiam
	<b>Decision:</b> Appeal dismissed		
98-775-1	State v Thomas (Criminal)	Robeson 94CRS02398,94CRS02397	Timmons-Goodson
	<b>Decision:</b> No error		
99-488-1	In Re: Morehead (Criminal)	Rockingham 97J4	McGee
	<b>Decision:</b> Affirmed		
98-1455-1	Myers v Raney (Civil)	Rowan 97CVS877	Martin
	<b>Decision:</b> No error		
98-1637-1	Carlton v City of Salisbury (Civil)	Rowan 97CVS2251	McGee
	<b>Decision:</b> Affirmed		
99-465-1	State v Morris (Criminal)	Rowan 96CRS1315	McGee
	<b>Decision:</b> No error		
98-1422-1	Brandle v Nationwide Insurance Co. (Civil)	Rutherford 96CVS972	Edmunds, Jr.
	<b>Decision:</b> Vacated and remanded		
98-1341-1	State v Smith (Criminal)	Sampson 97CRS6040,97CRS6043,97- CRS6041,97CRS6039,97CRS6042	Martin
	<b>Decision:</b> No error		
99-386-1	State v Bethea (Criminal)	Scotland 97CRS5009	McGee
	<b>Decision:</b> New trial		
99-22-1	Hatley v Poplin (Civil)	Stanly 96CVS931	Edmunds, Jr.
	<b>Decision:</b> Dismissed		
98-1482-1	Gunter, et al v McIntyre (Civil)	Stokes 96SP40	Hunter
	<b>Decision:</b> Dismissed		
98-1484-1	Goins, et al v Shaffer, et al (Civil)	Stokes 96SP7	Hunter

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	<b>Decision:</b> Dismissed		
98-1144-1	Prince, et al v NC Real Estate Comm. (Civil)	Wake 96CVS9888	Timmons-Goodson
	<b>Decision:</b> Reversed and remanded		
98-1199-1	Garber v The Great-West Life & Annuity (Civil)	Wake 98CVS1023	John, Sr.
	<b>Decision:</b> Affirmed		
99-626-1	State v Shelton (Criminal)	Wake 97CRS75698,97CRS75697	McGee
	<b>Decision:</b> No error		
99-422-1	State v Washington (Criminal)	Warren 97CRS399,97CRS398	McGee
	<b>Decision:</b> Reversed		
99-541-1	State v Szabo (Criminal)	Yancey 96CRS280	McGee
	<b>Decision:</b> No error		