

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 21 DECEMBER 1999)**  
**(MANDATE 10 JANUARY 2000)**

Docket #	Title	County	Judge
99-90-1	Twaddell v Anderson (Civil) <b>Decision:</b> Reversed	Craven	Edmunds, Jr.
98-1501-1	Staton, et al v Brame (Civil) <b>Decision:</b> Reversed	Forsyth	Edmunds, Jr.
99-206-1	Lexington Ins. v Tires Into Recycled (Civil) <b>Decision:</b> Affirmed	Forsyth	Martin
99-239-1	Hixson v Krebs (Civil) <b>Decision:</b> Reversed and remanded	Granville	McGee
99-211-1	Tucker, et al v Westlake (Civil) <b>Decision:</b> No prejudicial error	Iredell	Lewis, Jr.
98-1215-1	State v Garner (Criminal) <b>Decision:</b> No error	Johnston	Walker
98-1576-1	State v Brooks (Criminal) <b>Decision:</b> No error	Lincoln	Hunter
98-1552-1	McClure v Reynolds Co. (Civil) <b>Decision:</b> Reversed and remanded	Martin	Timmons-Goodson
98-936-1	Benton, et al v Hillcrest Foods, et al (Civil) <b>Decision:</b> No error	Mecklenburg	Timmons-Goodson
98-1372-1	State v Broome (Criminal) <b>Decision:</b> No error	Mecklenburg	Eagles, Jr.
98-1426-1	State v Williams (Criminal) <b>Decision:</b> No error	Mecklenburg	Lewis, Jr.
98-1598-1	Harry v Cresent Resources, Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Horton, Jr.
99-69-1	Looking Glass v City of Charlotte, BOA (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg	Walker
99-183-1	Latimer v Latimer (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Greene
99-476-1	Harry v Mecklenburg County, et al (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg	Horton, Jr.
98-1499-1	Bio-Medical v Human Resources (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Wynn, Jr.
98-1563-1	Scurlock v Durham Co. General Hospital (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Lewis, Jr.

Docket #	Title	County	Judge
99-94-1	State v Spinks (Criminal) <b>Decision:</b> New trial	Randolph	Horton, Jr.
99-240-1	Clark, et al v City of Asheboro (Civil) <b>Decision:</b> Affirmed	Randolph	Horton, Jr.
99-151-1	State, ex rel Desselberg v. Peele (Civil) <b>Decision:</b> Affirmed	Richmond	Eagles, Jr.
98-1398-1	Arquilla, et al v City of Salisbury (Civil) <b>Decision:</b> Reversed	Rowan	Timmons-Goodson
97-263-1	Richardson, et al v Union County BOA (Civil) <b>Decision:</b> Affirmed	Union	Hunter
98-1523-1	Winborne v Easley, et al (Civil) <b>Decision:</b> Affirmed	Wake	Walker
98-1514-1	State v Hughes (Criminal) <b>Decision:</b> Affirmed in part, reversed in part and remanded for resentencing	Wayne	Timmons-Goodson

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98-1504-1	Walker v Hamlett (Civil) <b>Decision:</b> Reversed and remanded	Alamance 98CVD818	Eagles, Jr.
98-1509-1	State v Shipp (Criminal) <b>Decision:</b> No error	Catawba 98CRS6790,98CRS6791,97C- RS18385	Martin
99-306-1	Whiting, et al v Price, et al (Civil) <b>Decision:</b> Reversed	Cherokee 97CVS456	Wynn, Jr.
99-678-1	State v Taylor (Criminal) <b>Decision:</b> No error	Craven 97CRS15845,97CRS15450	Smith
98-1639-1	Williams v Lohr, et al (Civil) <b>Decision:</b> Affirmed	Davidson 96CVS182	Hunter
98-1624-1	State v Wearing (Criminal) <b>Decision:</b> No error	Durham 97CRS21500	Horton, Jr.
99-135-1	State v Lloyd (Criminal) <b>Decision:</b> No error	Durham 96CRS22845	Martin
99-485-1	State v Rouzier (Criminal) <b>Decision:</b> No error	Durham 97CRS23817	Smith
99-684-1	State v McQueen (Criminal) <b>Decision:</b> No error	Durham 97CRS15492	Smith
99-23-1	State v McNeil (Criminal) <b>Decision:</b> No error	Forsyth 98CRS28736,98CRS31855,9- 8CRS28735	Eagles, Jr.
99-110-1	Lynch & Sons v City of Winston-Salem (Civil) <b>Decision:</b> Appeal dismissed and remanded	Forsyth 97CVS2861	Eagles, Jr.
99-635-1	State v Taylor (Criminal) <b>Decision:</b> Reversed	Forsyth 98CRS37351,98CRS32123	Smith
99-852-1	State v Robinson (Criminal) <b>Decision:</b> No error	Forsyth 98CRS21038,98CRS33610,9- 8CRS17518,98CRS33611	Smith
99-203-1	Broome, et al v City of Mt. Holly (Civil) <b>Decision:</b> Reversed and remanded	Gaston 97CVS3482	Wynn, Jr.
99-705-1	State v Dameron (Criminal) <b>Decision:</b> No error	Gaston 98CRS13975,98CRS13976,9- 8CRS13974,98CRS27685	Smith

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99-706-1	State v Trimnal (Criminal)  <b>Decision:</b> No error	Gaston 98CRS7015,97CRS37087,98- CRS7014	Smith
99-28-1	Truck & Trailer v Peterbilt (Civil)  <b>Decision:</b> New trial	Guilford 95CVS9278	Wynn, Jr.
99-277-1	Vittitoe v Vittitoe (Civil)  <b>Decision:</b> Dismissed in part, affirmed in part	Guilford 96CVD1249	Martin
99-595-1	State v Isom (Criminal)  <b>Decision:</b> No error	Guilford 97CRS24129,97CRS24128	Smith
99-685-1	State v Quick (Criminal)  <b>Decision:</b> Affirmed	Guilford 96CRS78374,98CRS1044	Smith
99-362-1	Hale v Martin (Civil)  <b>Decision:</b> Dismissed	Halifax 95CVD979	Wynn, Jr.
98-1339-1	State v Massey (Criminal)  <b>Decision:</b> No error	Harnett 96CRS9561	Eagles, Jr.
99-519-1	State v Diaz (Criminal)  <b>Decision:</b> Appeal dismissed	Harnett 98CRS5440,98CRS5441,98C- RS5439	Smith
99-39-1	State v Snipes (Criminal)  <b>Decision:</b> No error as to appeal, remanded for hearing on motion for appropriate relief	Lee 98CRS1389	Lewis, Jr.
98-1305-1	State v Hargraves (Criminal)  <b>Decision:</b> No error	Mecklenburg 97CRS35577	John, Sr.
98-1532-1	Hillen v Jones (Civil)  <b>Decision:</b> Reversed and remanded	Mecklenburg 96CVD15299	Walker
98-1619-1	STC, Inc. v Robinson, et al (Civil)  <b>Decision:</b> Reversed and remanded	Mecklenburg 97CVS9141	Horton, Jr.
98-1631-1	Kepley, et al v Sheldon, et al (Civil)  <b>Decision:</b> Affirmed	Mecklenburg 97CVS8848	Walker
99-54-1	State v Davidson (Criminal)  <b>Decision:</b> Dismissed	Mecklenburg 95CRS89863	Wynn, Jr.
99-134-1	State v Bidgood (Criminal)  <b>Decision:</b> Reversed and remanded	Mecklenburg 97CRS101600,97CRS101597	Wynn, Jr.
99-682-1	Mugford v Moffett, et al (Civil)  <b>Decision:</b> No error	Mecklenburg 97CVS10994	Smith

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99-376-1	State v Penson (Criminal)  <b>Decision:</b> No error	Moore 97CRS12237,97CRS12238,9- 7CRS12236,97CRS11989	Smith
99-264-1	Mooreville Hospital v NC DHR (Civil)  <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs 97DHR1209	Horton, Jr.
99-170-1	Morningstar v Buncombe Co. Schools (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC861983	Greene
99-213-1	Covington v Moen, Inc. (Civil)  <b>Decision:</b> Affirmed in part, vacated in part, and remanded	N.C. Industrial Commission IC607410	Martin
99-357-1	Roberts v Winston-Salem (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC537275	Smith
99-641-1	Mosteller v Alex Lee, Inc., et al (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC574371	Smith
99-88-1	Laws v Laws (Civil)  <b>Decision:</b> Affirmed	New Hanover 96CVD1141	Horton, Jr.
98-1522-1	In the Matter of: Jeffrey S. Gaylor (Criminal)  <b>Decision:</b> Vacated in part; reversed in part	Onslow 97J82	John, Sr.
99-141-1	Cary v Brown (Civil)  <b>Decision:</b> Reversed and remanded to the trial court for trial	Onslow 98CVS2088	McGee
99-205-1	Erickson v Conger (Civil)  <b>Decision:</b> Dismissed	Onslow 92CVD290	Wynn, Jr.
98-1418-1	Belvedere Property v Woodruff, et al (Civil)  <b>Decision:</b> Reversed and remanded	Pender 98CVD0094	Martin
99-632-1	State v Melvin (Criminal)  <b>Decision:</b> No error	Pitt 96CRS8225,96CRS8227,96C- RS8224	Smith
99-97-1	Thomas v Hinesley, et al (Civil)  <b>Decision:</b> Affirmed	Randolph 98CVS726	Horton, Jr.
99-601-1	State v Parsons (Criminal)  <b>Decision:</b> No error	Randolph 98CRS2066	Smith
99-734-1	State v Chandler (Criminal)  <b>Decision:</b> Affirmed	Randolph 95CRS11149	Smith
99-311-1	Vernon v Lowe, et al (Civil)  <b>Decision:</b> Appeal dismissed	Rockingham 97CVS1661	Smith

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98-1460-1	State v Fetherson (Criminal) <b>Decision:</b> Remanded	Union 97CRS10832	Wynn, Jr.
98-1463-1	State v Dorsey (Criminal) <b>Decision:</b> No error	Wake 97CRS30249,97CRS30248	Eagles, Jr.
99-72-1	Kolbe v NC Dept of Labor (Civil) <b>Decision:</b> Dismissed	Wake 96CVS10068	McGee
99-76-1	Cohen v Cohen (Civil) <b>Decision:</b> Affirmed in part, vacated in part and remanded	Wake 87CVD00366	Lewis, Jr.
99-127-1	State v Patrick (Criminal) <b>Decision:</b> No error	Wake 96CRS51231	Greene
99-148-1	Mastroianni v Harris (Civil) <b>Decision:</b> Affirmed	Wake 97CVS10024	Hunter
99-233-1	Walker v Walker (Civil) <b>Decision:</b> Affirmed	Wake 94CVD2897	Martin
99-591-1	Williams v Merendino (Civil) <b>Decision:</b> Affirmed	Wake 96CVD04673	Smith