

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 4 APRIL 2000)**  
**(MANDATE 24 APRIL 2000)**

Docket #	Title	County	Judge
99-731-1	In The Matter of: Pegram (Civil) <b>Decision:</b> Appeal dismissed and case remanded for disposition	Chatham	Horton, Jr.
99-375-1	Cash v State Farm Mutual (Civil) <b>Decision:</b> Affirmed	Cleveland	Hunter
99-437-1	State v Jones (Criminal) <b>Decision:</b> No prejudicial error	Craven	Wynn, Jr.
99-505-1	In the Matter of Faircloth, Minors (Civil) <b>Decision:</b> Reversed and remanded	Cumberland	Martin
99-201-1	State v Gray (Criminal) <b>Decision:</b> No error	Duplin	Edmunds, Jr.
99-272-1	State v Elliott (Criminal) <b>Decision:</b> New trial	Durham	Greene
99-332-1	Davis, et al v JMX, Inc., et al (Civil) <b>Decision:</b> Affirmed in part and reversed in part.	Durham	Walker
99-326-1	State v Hairston (Criminal) <b>Decision:</b> No error	Forsyth	Hunter
99-1055-1	Porterfield v Goldkuhle (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Forsyth	Smith
99-518-1	State v Jenkins (Criminal) <b>Decision:</b> Reversed	Gaston	Walker
99-385-1	Simmons v Chemol Corp. (Civil) <b>Decision:</b> Affirmed	Guilford	Walker This opinion was originally filed 3-7-00 and withdrawn per order of 3-15-2000
99-401-1	Tart v Martin (Civil) <b>Decision:</b> Affirmed in part and reversed in part	Guilford	Eagles, Jr.
99-441-1	State v Jarrett (Criminal) <b>Decision:</b> No error	Guilford	Martin
99-561-1	Whitaker v Akers (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded for new trial	Guilford	Eagles, Jr.
98-1580-1	Wener v Perrone & Cramer Realty (Civil) <b>Decision:</b> Reversed and remanded with instructions	Jackson	John, Sr.

Docket #	Title	County	Judge
99-1012-1	State v Rudisill (Criminal) <b>Decision:</b> Sentence vacated and remanded for new sentencing hearing.	Jackson	Smith
99-11-1	Bishop v Lattimore, et al (Civil) <b>Decision:</b> Plaintiff's appeal of the trial court's denial of his motion for partial summary judgment is dismissed. The trial court's order granting defendant's motion for change of venue is affirmed.	Mecklenburg	McGee
99-48-1	Allen v K-Mart (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Hunter
99-446-1	Purser v Heatherlin Properties (Civil) <b>Decision:</b> Remanded with instructions	N.C. Industrial Commission	Wynn, Jr.
99-580-1	N. C. State Bar v Harris (Civil) <b>Decision:</b> Affirmed	N.C. State Bar	Wynn, Jr.
99-473-1	Offerman (Meyers) v Offerman (Civil) <b>Decision:</b> Affirmed in part, vacated in part and remanded	New Hanover	Horton, Jr.
98-750-2	McLain v Taco Bell Corp. (Civil) <b>Decision:</b> Partial new trial	Onslow	John, Sr.
98-1471-1	Murakami v Wilmington Star News (Civil) <b>Decision:</b> Affirmed	Onslow	Timmons-Goodson
99-262-1	State v Lesane (Criminal) <b>Decision:</b> No prejudicial error	Robeson	Lewis, Jr.
99-131-1	Green v Dixon, et al (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Vance	Eagles, Jr.
99-392-1	Hodge v NCDOT (Civil) <b>Decision:</b> Reversed and remanded	Wake	Eagles, Jr.
99-506-1	State v Ray (Criminal) <b>Decision:</b> No error	Wake	Horton, Jr.

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99-529-1	State v Blount (Criminal) <b>Decision:</b> No error	Beaufort 98CRS591	Walker
99-582-1	In The Matter of: Bailey (Criminal) <b>Decision:</b> Affirmed	Buncombe 98J223	Martin
99-249-1	Barefoot v Thermo Industries, et al (Civil) <b>Decision:</b> Affirmed	Carteret 97CVS106	McGee
99-898-1	State v Trody (Criminal) <b>Decision:</b> Remanded	Carteret 98CRS8645 98CRS12954	Eagles, Jr.
99-1010-1	State v Barnes (Criminal) <b>Decision:</b> No error	Cleveland 98CRS13950	Smith
99-1121-1	State v Allen (Criminal) <b>Decision:</b> No error	Cumberland 96CRS54899	Eagles, Jr.
99-389-1	State v Covington (Criminal) <b>Decision:</b> Vacated and remanded	Durham 97CRS26403	Lewis, Jr.
99-525-1	State v Johnson (Criminal) <b>Decision:</b> No error	Durham 97CRS27978 97CRS11859	Greene
99-713-1	Clark v Host Marriott Corporation (Civil) <b>Decision:</b> Affirmed	Durham 98CVS00489	Smith
99-930-1	State v Cates (Criminal) <b>Decision:</b> No error	Durham 98CRS28995 98CRS11303	Eagles, Jr.
99-1099-1	In The Matter of: Randall Bass (Criminal) <b>Decision:</b> Affirmed	Durham 95J75	Smith
99-1024-1	In Re: Will of Stewart (Civil) <b>Decision:</b> Appeal dismissed; petition for writ of certiorari denied.	Forsyth 98E393	Eagles, Jr.
98-1438-1	State v White (Criminal) <b>Decision:</b> No error	Gaston 97CRS24484 97CRS24487 97CRS22153	John, Sr.
99-615-1	Stout v Evans (Civil) <b>Decision:</b> Reversed	Gaston 98CVS1158	Horton, Jr.
99-1147-1	State v Moore (Criminal)	Guilford 95CRS50460 95CRS50459 95CRS66210 95CRS66213 95CRS66208 95CRS66569 95CRS66211 95CRS64733 95CRS66214 95CRS66209 95CRS78020 95CRS66212 95CRS66207 95CRS66568	Smith

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	<b>Decision:</b> The sentence on the misdemeanor larceny in 95CRS66212 is vacated and the cause is remanded for resentencing and correction of the judgments		
99-477-1	In Re: Estate of Holland (Civil)	Harnett 98E535	Edmunds, Jr.
	<b>Decision:</b> Affirmed		
99-266-1	State v Ewart (Criminal)	Haywood 98CRS1452 98CRS1453 98CRS1451 98CRS1454	Edmunds, Jr.
	<b>Decision:</b> No error		
99-988-1	State v Harris (Criminal)	Lenoir 97CRS10827 97CRS10826	Eagles, Jr.
	<b>Decision:</b> No error in the trial. Remanded for correction of judgment.		
99-351-1	State v Gulledege (Criminal)	Mecklenburg 97CRS47923 97CRS47924 97CRS47922	Horton, Jr.
	<b>Decision:</b> No error		
99-1034-1	State v Squire (Criminal)	Mecklenburg 98CRS253 98CRS707 98CRS1884	Eagles, Jr.
	<b>Decision:</b> No error		
99-404-1	State v Smith (Criminal)	Moore 96CRS7019	John, Sr.
	<b>Decision:</b> Remanded for resentencing		
99-845-1	McNeil v Purolator Products Co., et al (Civil)	N.C. Industrial Commission IC625217 IC871825 IC638707	Eagles, Jr.
	<b>Decision:</b> Affirmed		
99-855-1	Leonhardt v Carolina Freight Carriers (Civil)	N.C. Industrial Commission IC455250	Smith
	<b>Decision:</b> Affirmed		
99-458-1	Offerman v Offerman (Civil)	New Hanover 97CVD1333	Hunter
	<b>Decision:</b> Affirmed		
99-514-1	State v Gray (Criminal)	Onslow 98CRS008625	Greene
	<b>Decision:</b> No error		
99-771-1	State v Midgette (Criminal)	Pamlico 98CRS273	Eagles, Jr.
	<b>Decision:</b> No error		
99-772-1	State v Green (Criminal)	Pamlico 98CRS272	Smith
	<b>Decision:</b> No error		
99-1089-1	State v Ollison (Criminal)	Pamlico 98CRS1517 98CRS1232	Smith
	<b>Decision:</b> No error		
99-962-1	In Re: Taylor (Civil)	Richmond 97J140	Eagles, Jr.
	<b>Decision:</b> Affirmed		
99-1091-1	State v McBride (Criminal)	Richmond 96CRS3462 96CRS3463 96CRS3461	Smith
	<b>Decision:</b> No error		

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99-934-1	State v Campbell (Criminal) <b>Decision:</b> No error	Robeson 97CRS00897	Eagles, Jr.
99-373-1	State v Price (Criminal) <b>Decision:</b> No error	Rockingham 97CRS9762 97CRS9763 97CRS8754	Walker
99-480-1	State v Meyers (Criminal) <b>Decision:</b> No error	Union 96CRS3340 96CRS3332 96CRS3344 96CRS3336 96CRS3342 96CRS3333 96CRS3339 96CRS3331 96CRS3343 96CRS3334	Horton, Jr.
99-75-1	State v Leazer (Criminal) <b>Decision:</b> New trial	Wake 96CRS25674	McGee
99-137-1	State v Dickens (Criminal) <b>Decision:</b> No error	Wake 95CRS44747	McGee
99-310-1	Coats v Wall (Civil) <b>Decision:</b> Vacated and remanded	Wake 95CVD9476	Lewis, Jr.
99-1078-1	Matter of: Jarrett (Civil) <b>Decision:</b> Affirmed	Yadkin 97J4344	Eagles, Jr.