

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 APRIL 2000)**  
**(MANDATE 8 MAY 2000)**

Docket #	Title	County	Judge
99-207-1	State v Riley (Criminal) <b>Decision:</b> No error	Alamance	Edmunds, Jr.
99-166-1	State v Noffsinger (Criminal) <b>Decision:</b> No error; remanded for a new sentencing hearing	Brunswick	Timmons-Goodson
99-243-1	State v Salters (Criminal) <b>Decision:</b> Larceny conviction vacated; no error in breaking and entering conviction.	Buncombe	Hunter
99-291-1	In The Matter of: Thrift (Civil) <b>Decision:</b> Reversed and remanded	Buncombe	Timmons-Goodson
99-526-1	Jacobs v City of Asheville (Civil) <b>Decision:</b> Affirmed	Buncombe	Horton, Jr.
99-1051-1	In The Matter of: Cogdill (Civil) <b>Decision:</b> Affirmed as modified	Buncombe	Greene
99-454-1	Long v Harris (Civil) <b>Decision:</b> No error	Burke	John, Sr.
99-530-1	State v Montford (Criminal) <b>Decision:</b> No error	Carteret	Lewis, Jr.
99-564-1	Novacare Orthotics v Spellman (Civil) <b>Decision:</b> Affirmed in part, vacated in part and remanded	Cumberland	Timmons-Goodson
99-71-1	Johnson, et al v Scott (Civil) <b>Decision:</b> Affirmed	Durham	John, Sr.
99-681-1	In The Matter of: Montgomery (Civil) <b>Decision:</b> Affirmed	Forsyth	Greene
99-483-1	Condellone v Condellone (Civil) <b>Decision:</b> Affirmed	Guilford	Edmunds, Jr.
99-538-1	Fennell v Stephenson (Civil) <b>Decision:</b> Affirmed in part and reversed in part	Guilford	Greene
99-567-1	DOT v Mahaffey (Civil) <b>Decision:</b> No error	Guilford	Greene
99-440-1	Miller v Piedmont Steam Company (Civil) <b>Decision:</b> Affirm	Mecklenburg	Timmons-Goodson
99-453-1	Jordan v Civil Service Board (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg	Hunter

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99-471-1	Grover v Norris (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Hunter
99-608-1	State v Jackson (Criminal) <b>Decision:</b> No error	Mecklenburg	Greene
99-402-1	Calloway v Memorial Mission Hospital (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Lewis, Jr.
98-1626-1	State v Diehl (Criminal) <b>Decision:</b> Vacated and remanded	Randolph	Timmons-Goodson
99-627-1	State v Brogden (Criminal) <b>Decision:</b> Judgment in 98CRS8327 vacated and remanded for re-sentencing on the conviction of assault on a government official. Arrested judgment in 97CRS16059 set aside and remanded for sentencing on the conviction of assault with a deadly weapon.	Rowan	Wynn, Jr.
99-765-1	Associates Financial v NC Farm Bureau (Civil) <b>Decision:</b> Affirmed	Rutherford	Greene
99-1176-1	State v Stanback (Criminal) <b>Decision:</b> New trial	Stanly	Greene
98-1541-1	Walker, et al v Sloan, et al (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Wake	Timmons-Goodson
99-431-1	State v Miller (Criminal) <b>Decision:</b> No error in part, vacated in part, and remanded for resentencing	Wilkes	Martin

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99-565-1	Burns v Phipps (Civil) <b>Decision:</b> Reversed	Ashe 97CVD340	Walker
99-818-1	In The Matter of: Pope-Deal (Civil) <b>Decision:</b> Affirmed	Catawba 97J111	McGee
99-1194-1	In The Matter of: Johnson (Criminal) <b>Decision:</b> Dismissed	Catawba 98J358	Greene
99-563-1	State v Cansler (Criminal) <b>Decision:</b> No error	Cleveland 98CRS115	Martin
99-590-1	In The Matter of: Haynes, Minors (Civil) <b>Decision:</b> Affirmed	Cleveland 97J195,97J196,97J194,97J197	Walker
99-922-1	State v McSwain (Criminal) <b>Decision:</b> No error	Cumberland 95CRS25662	Walker
99-1086-1	State v Verdicanno (Criminal) <b>Decision:</b> No error	Durham 96CRS17847	Walker
99-250-1	State v Ingram (Criminal) <b>Decision:</b> No error	Forsyth 96CRS39938	Edmunds, Jr.
99-1040-1	State v Conrad (Criminal) <b>Decision:</b> No error	Forsyth 98CRS37342,98CRS46695	Greene
98-1443-1	State v Pickett & Foreman (Criminal) <b>Decision:</b> New trial	Greene 96CRS415 96CRS414 96CRS400 96CRS402-03, 96CRS401	McGee
99-312-1	State v Clontz (Criminal) <b>Decision:</b> Affirmed	Guilford 98CRS62528,98CRS62529,9- 8CRS62527	McGee
99-1285-1	State v Slade (Criminal) <b>Decision:</b> Dismissed	Guilford 98CRS73984,98CRS73985,9- 8CRS73983,98CRS73986	Greene
99-649-1	Stephens v Reynolds, et al (Civil) <b>Decision:</b> New trial	Harnett 96CVS1738	Wynn, Jr.
99-933-1	Altman v Moore (Civil) <b>Decision:</b> Affirmed	Harnett 98CVS01377	Walker
99-840-1	Killian v Thompson & Whitney (Civil) <b>Decision:</b> Affirmed	Haywood 98CVS484	Walker

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99-1226-1	State v White (Criminal) <b>Decision:</b> No error	Lenoir 98CRS2232	Greene
99-374-1	Van Every v Reid (Civil) <b>Decision:</b> Affirmed	Mecklenburg 88CVD9201	McGee
99-758-1	In The Matter of: Lyons (Criminal) <b>Decision:</b> No error	Mecklenburg 98J1025	Wynn, Jr.
99-1033-1	Miesen v Buckman (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 97CVS6277	Walker
99-1017-1	Foreman v Elizabeth City (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC662586	Walker
99-968-1	State v Arrington (Criminal) <b>Decision:</b> No error	Nash 97CRS5310,97CRS9157,97C- RS5312,96CRS13778,97CRS9156	Greene
99-674-1	Rogers v City of Wilmington (Civil) <b>Decision:</b> Affirmed	New Hanover 98CVS2388	Wynn, Jr.
99-749-1	Wells v Ocean Broadcasting, LLC (Civil) <b>Decision:</b> Affirmed	New Hanover 99CVM2085	Wynn, Jr.
99-819-1	State v Gilliam (Criminal) <b>Decision:</b> No error	Northampton 97CRS956,97CRS839	Walker
99-953-1	In The Matter of: Price (Civil) <b>Decision:</b> Affirmed	Pasquotank 83CRS3037,83CRS3036	Greene
99-659-1	Ford v Mattingly & Ford (Civil) <b>Decision:</b> Affirmed	Richmond 96CVS960	Wynn, Jr.
99-336-1	State v Callahan (Criminal) <b>Decision:</b> No error	Robeson 95CRS9162,95CRS12408,95- CRS9161	Horton, Jr.
99-1015-1	State v Murray (Criminal) <b>Decision:</b> Remanded	Robeson 94CRS4001	Greene
99-672-1	Associates Financial v State Farm (Civil) <b>Decision:</b> Affirmed	Rutherford 98CVS692	Greene
99-1068-1	State v Jacobs (Criminal) <b>Decision:</b> No error	Scotland 95CRS9364,95CRS9363	Walker
99-330-1	Ricks, et al v White Construction, Inc. (Civil) <b>Decision:</b> Affirmed	Wake 98CVS11103	McGee

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99-653-1	Ostrowski v ESC of North Carolina (Civil) <b>Decision:</b> Affirmed	Wake 99CVS287	Martin
99-784-1	Winters v Winters, et al (Civil) <b>Decision:</b> Dismissed	Wake 98CVS13482	Per Curiam
99-1013-1	State v Avila (Criminal) <b>Decision:</b> No error	Wilson 97CRS17554,97CRS17551	Walker