

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 20 JUNE 2000)**  
**(MANDATE 10 JULY 2000)**

Docket #	Title	County	Judge
99-842-1	Wiebenson v Bd. of Trustees, T&SERS (Civil) <b>Decision:</b> Affirmed	Buncombe	Eagles, Jr.
97-1470-2	DOT v Rowe, et al (Civil) <b>Decision:</b> New trial	Catawba	Wynn, Jr.
99-961-1	Formyduval v Bunn (Civil) <b>Decision:</b> Affirmed	Columbus	Smith
99-959-1	Ragan v Wheat First Securities, Inc. (Civil) <b>Decision:</b> Affirmed	Davidson	Wynn, Jr.
98-1303-2	Lynn v Burnette, et al (Civil) <b>Decision:</b> Reversed and remanded	Durham	McGee
99-645-1	Fulk v Piedmont Music Center (Civil) <b>Decision:</b> No error	Forsyth	Hunter
99-1052-1	Hylton v Koontz, et al (Civil) <b>Decision:</b> Reversed and remanded	Forsyth	Greene
99-323-1	State v Blue (Criminal) <b>Decision:</b> New trial	Gaston	McGee
99-911-1	Lancaster v Lancaster (Civil) <b>Decision:</b> Affirmed	Gaston	Wynn, Jr.
99-982-1	Metz v Metz (Civil) <b>Decision:</b> Affirmed	Gates	Lewis, Jr.
99-948-1	In The Matter of: Voight (Criminal) <b>Decision:</b> Dismissed	Guilford	Hunter
99-886-1	In Re: Biddix and Wal-Mart (Civil) <b>Decision:</b> Affirmed	McDowell	Martin
99-698-1	State v Robertson (Criminal) <b>Decision:</b> No error in part; vacated and remanded in part	Mecklenburg	Lewis, Jr.
99-757-1	State v Montgomery (Criminal) <b>Decision:</b> No error	Mecklenburg	Martin
99-889-1	White v Crisp (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Walker
99-331-1	State v Blyther (Criminal) <b>Decision:</b> No error	Moore	McGee

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99-737-1	Bicket, et al v McLean Securities Inc. (Civil) <b>Decision:</b> Defendant's appeal--reversed with instructions Plaintiffs' appeal--affirmed	Moore	Edmunds, Jr.
99-366-1	Lewis v N. C. Department of Correction (Civil) <b>Decision:</b> Vacated and remanded	N.C. Industrial Commission	McGee
99-574-1	Hansen v Crystal Ford-Mercury, Inc. (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Hunter
99-1009-1	In The Matter of: Small & Cobb (Civil) <b>Decision:</b> Reversed	New Hanover	Walker
99-947-1	N.C. Farm Bureau v Mizell, et al (Civil) <b>Decision:</b> Affirmed	Pitt	Walker
99-923-1	In The Matter of: Leon & Mary Corbett (Civil) <b>Decision:</b> Reversed and remanded	Property Tax Commission	Greene
99-716-1	Hamlet HMA v Richmond County, et al (Civil) <b>Decision:</b> Affirmed	Richmond	McGee
99-847-1	State v Locklear (Criminal) <b>Decision:</b> New trial	Robeson	Greene
99-400-1	State v Fuller (Criminal) <b>Decision:</b> No error	Rockingham	Lewis, Jr.
99-646-1	State v Clark (Criminal) <b>Decision:</b> No error	Rowan	Walker
99-1066-1	Jiggetts v Lancaster, et al (Civil) <b>Decision:</b> Affirmed	Vance	Horton, Jr.
99-606-1	Rhew v Rhew (Felton) (Civil) <b>Decision:</b> Vacated and Remanded	Wake	Edmunds, Jr.
99-822-1	State v Cooper (Criminal) <b>Decision:</b> Vacated and Remanded	Wake	Timmons-Goodson

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99-546-1	State v Colon (Criminal)  <b>Decision:</b> To summarize, in cases 95CR5140 and 5141, defendant's convictions of attempted second-degree murder are vacated and remanded for further action consistent with this opinion. In cases 95CR5142 and 5145, we find no error. In case 95CR5146, we remand with instructions that defendant's motion to dismiss be granted	Alamance 95CRS5141 95CRS5142 95CRS5140 95CRS5145	Edmunds, Jr.
99-652-1	Overcash v The City of Concord, et al (Civil)  <b>Decision:</b> Reversed and remanded	Cabarrus 99CVS137	Hunter
99-724-1	State v Reid (Criminal)  <b>Decision:</b> Affirmed	Cabarrus 98J105	Timmons-Goodson
99-906-1	State v Turner & Parker (Criminal)  <b>Decision:</b> No error	Craven 98CRS1076 98CRS1080 98CRS1074 98CRS1082	Martin
99-248-1	Hair v Hair, et al (Civil)  <b>Decision:</b> Affirmed	Cumberland 88CVD4591	McGee
99-1057-1	Briggs v Food Lion, Inc. (Civil)  <b>Decision:</b> Affirmed	Cumberland 97CVS1313	Wynn, Jr.
99-521-1	State v Holloway (Criminal)  <b>Decision:</b> No error	Durham 97CRS8599	Timmons-Goodson
99-1111-1	State v Holloway (Criminal)  <b>Decision:</b> Affirmed	Durham 97CRS32006	Edmunds, Jr.
99-1171-1	State v Joyner (Criminal)  <b>Decision:</b> No error	Durham 98CRS38158 98CRS17331	Edmunds, Jr.
99-539-1	State v Marley (Criminal)  <b>Decision:</b> No error	Forsyth 97CRS42763 97CRS42761	Edmunds, Jr.
99-602-1	Woodward v Woodward (Civil)  <b>Decision:</b> Affirmed	Forsyth 97CVD2382	Timmons-Goodson
99-730-1	State v Dunbar (Criminal)  <b>Decision:</b> No error	Forsyth 98CRS41352 98CRS45850	Timmons-Goodson
99-1293-1	State v Mills (Criminal)  <b>Decision:</b> Affirmed	Gaston 95CRS33721 95CRS33722 95CRS33720	Edmunds, Jr.
99-761-1	State v Frazier (Criminal)  <b>Decision:</b> Affirmed	Guilford 98CRS041068	Timmons-Goodson
99-921-1	State v Lindsay (Criminal)  <b>Decision:</b> No error	Guilford 98CRS85852 98CRS23685	Edmunds, Jr.
99-1169-1	State v Jordan (Criminal)	Guilford 99CRS024748	Edmunds, Jr.

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	<b>Decision:</b> No error		
98-1579-1	Bellsouth Carolinas v Henderson Co. (Civil)	Henderson 97CVS1155	John, Sr.
	<b>Decision:</b> Reversed and remanded		
99-965-1	State v Parker (Criminal)	Hertford 97CRS2687 97CRS3617 97CRS2238	Greene
	<b>Decision:</b> No error		
99-1218-1	State v Braddy (Criminal)	Lincoln 95CRS5159	Edmunds, Jr.
	<b>Decision:</b> No error		
99-879-1	Wilkinson v Henson Brothers, Inc. (Civil)	Mecklenburg 96CVS12445	Wynn, Jr.
	<b>Decision:</b> Affirmed in part, reversed and remanded in part		
99-420-1	Nance v Veneer, et al (Civil)	N.C. Industrial Commission IC489537	Edmunds, Jr.
	<b>Decision:</b> Affirmed		
99-479-1	Wade v Latco Construction Company (Civil)	N.C. Industrial Commission IC624825	Timmons-Goodson
	<b>Decision:</b> Affirmed		
99-864-1	Lawing v Thomasville Upholstery (Civil)	N.C. Industrial Commission IC548267	Walker
	<b>Decision:</b> Affirmed		
99-980-1	Simmons v Landfall Associates (Civil)	N.C. Industrial Commission IC676006	Timmons-Goodson
	<b>Decision:</b> Affirmed		
99-702-1	State v Kickery (Criminal)	New Hanover 98CRS893 98CRS890	Walker
	<b>Decision:</b> No error in the trial; judgment vacated and remanded for re-sentencing.		
99-729-1	In The Matter of: Roberts (Civil)	New Hanover 98J414 98J413	Timmons-Goodson
	<b>Decision:</b> Affirmed		
99-1217-1	Orange County, ex rel, Pride v Edwards (Civil)	Orange 93CVD1348	Edmunds, Jr.
	<b>Decision:</b> Reversed and remanded		
99-694-1	State v Midgette (Criminal)	Pamlico 98CRS383 98CRS382	Wynn, Jr.
	<b>Decision:</b> Affirmed		
99-532-1	State v Overton (Criminal)	Pasquotank 98CRS1749 98CRS212	John, Sr.
	<b>Decision:</b> No error; motion for appropriate relief denied		
99-870-1	State v Smith (Criminal)	Pitt 96CRS34137 96CRS34138 96CRS34136 96CRS34139	Wynn, Jr.
	<b>Decision:</b> No prejudicial error		
99-1088-1	Langdon v NC Dept. of Transportation (Civil)	Polk 98CVS139	Wynn, Jr.
	<b>Decision:</b> Affirmed		
99-924-1	In The Matter of: Edna Brown Wallin (Civil)	Property Tax Commission 98PTC108	Greene
	<b>Decision:</b> Reversed and remanded		

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99-614-1	Mills v Thomas (Civil) <b>Decision:</b> Reversed and remanded	Randolph 97CVS856	Edmunds, Jr.
99-553-1	State v Hunt (Criminal) <b>Decision:</b> Remanded for reentry of judgment	Robeson 96CRS09962	Edmunds, Jr.
99-764-1	State v Carter (Criminal) <b>Decision:</b> Affirmed	Rockingham 95CRS9225	Timmons-Goodson
99-1003-1	Epperson v Epperson (Civil) <b>Decision:</b> Vacated and remanded	Surry 98CVD165	Horton, Jr.
99-877-1	Murray v Russ (Civil) <b>Decision:</b> Affirmed	Union 94CVD1025	Walker
99-860-1	Massey v N.C. Psychology Board (Civil) <b>Decision:</b> Affirmed	Wake 98CVS7988	Timmons-Goodson
99-1223-1	In Re: Burrell (Civil) <b>Decision:</b> Affirmed	Wake 97J501	Hunter
99-1224-1	State v Collins (Criminal) <b>Decision:</b> No error	Wake 97CRS034783 97CRS23186	Edmunds, Jr.
99-994-1	Howell, et al v Clyde (Civil) <b>Decision:</b> Affirmed	Watauga 96CVD86	Horton, Jr.
99-481-1	Durham v Paske (Civil) <b>Decision:</b> Affirmed	Wayne 98CVD94	Lewis, Jr.
99-946-1	Kilby v Kilby (Civil) <b>Decision:</b> Affirmed	Wilkes 89CVD1275	Walker