

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 29 DECEMBER 2000)
(MANDATE 18 JANUARY 2001)

| Docket # | Title | County | Judge |
|-----------|--|------------|-----------------|
| 99-1347-1 | Buckland, et al v Town of Haw River (Civil) Decision: Reversed and remanded | Alamance | Edmunds, Jr. |
| 99-1482-1 | Stewart v Stewart (Civil) Decision: Affirmed | Alamance | Wynn, Jr. |
| 99-1488-1 | State v Taylor (Criminal) Decision: No error | Anson | Hunter |
| 99-1575-1 | Smith v Beaufort County Hospital (Civil) Decision: Affirmed | Beaufort | Hunter |
| 99-1536-1 | State v Cherry (Criminal) Decision: No error | Bertie | Horton, Jr. |
| 99-1449-1 | State v Youngs (Criminal) Decision: No error | Brunswick | Edmunds, Jr. |
| 99-1249-1 | State v Washington (Criminal) Decision: No error | Carteret | Edmunds, Jr. |
| 99-1526-1 | Speagle v Seitz (Civil) Decision: Reversed | Catawba | Greene |
| 99-866-2 | Ripley, et al v Day, et al (Civil) Decision: Vacated and remanded | Chatham | Lewis, Jr. |
| 99-1184-1 | The CIT Group v Bray, et al (Civil) Decision: Reversed and remanded | Columbus | Timmons-Goodson |
| 99-1528-1 | Prince v Wright, et al (Civil) Decision: Reversed in part, affirmed in part | Columbus | Martin |
| 99-1222-1 | State v Fisher (Criminal) Decision: Affirmed | Craven | Timmons-Goodson |
| 99-1253-1 | Allen v Ferrera, et al (Civil) Decision: Affirmed in part, reversed in part and remanded | Cumberland | McGee |
| 99-1333-1 | Pierson & Haire v Cumberland Co. Civic (Civil) Decision: Affirmed | Cumberland | Timmons-Goodson |
| 99-1372-1 | Durham Coca-Cola v Consolidated Coca (Civil) Decision: Affirmed | Durham | Fuller, Jr. |
| 99-1274-1 | Erler, et al v Aon Risks Services, Inc. (Civil) Decision: No error | Forsyth | Walker |
| 99-1213-1 | State v Sexton (Criminal) Decision: Reversed and remanded | Gaston | Fuller, Jr. |

| Docket # | Title | County | Judge |
|-----------|--|----------------------------|-----------------|
| 99-1305-1 | State v Barnett (Criminal) Decision: No error | Gaston | Eagles, Jr. |
| 99-1208-1 | State v Wall (Criminal) Decision: No error | Guilford | Timmons-Goodson |
| 99-1391-1 | Schlossberg v Goins, et al (Civil) Decision: Affirmed in part, reversed in part, and remanded | Guilford | Wynn, Jr. |
| 00-517-1 | Chappell v Roth, et al (Civil) Decision: Reversed and remanded | Guilford | Fuller, Jr. |
| 99-1173-1 | Piland, et al v Hertford Co. Bd. of Com (Civil) Decision: Affirmed | Hertford | Wynn, Jr. |
| 00-446-1 | In Re: Brown (Civil) Decision: Affirmed | Iredell | Greene |
| 99-1378-1 | Smith v Young Moving and Storage (Civil) Decision: Reversed and remanded | Johnston | Edmunds, Jr. |
| 99-1261-1 | State v Guice (Criminal) Decision: No error in part, vacated and remanded in part for resentencing | Mecklenburg | Wynn, Jr. |
| 99-1299-1 | State v Funchess (Criminal) Decision: No error | Mecklenburg | Horton, Jr. |
| 99-1324-1 | State v Tennant (Criminal) Decision: Affirmed | Mecklenburg | Edmunds, Jr. |
| 99-1369-1 | Coca-Cola Bottling v Durham Coca-Cola (Civil) Decision: Reversed | Mecklenburg | Fuller, Jr. |
| 99-246-1 | Clark v ITT Grinnell Industrial (Civil) Decision: Affirmed in part, remanded in part | N.C. Industrial Commission | McGee |
| 99-693-1 | Austin v Continental General Tire (Civil) Decision: Affirmed | N.C. Industrial Commission | McGee |
| 99-742-1 | Jones v Weyerhaeuser Company (Civil) Decision: Affirmed | N.C. Industrial Commission | McGee |
| 99-1425-1 | Kanipe v Lane Upholstery (Civil) Decision: Affirmed in part, vacated in part and remanded | N.C. Industrial Commission | Lewis, Jr. |
| 99-1437-1 | Webb v Power Circuit, Inc. (Civil) Decision: Affirmed | N.C. Industrial Commission | Walker |
| 99-1578-1 | Larramore v Richardson Sports, et al (Civil) Decision: Affirmed in part, reversed and remanded in part | N.C. Industrial Commission | Fuller, Jr. |
| 99-1283-1 | State v Baldwin (Criminal) Decision: No error | New Hanover | Wynn, Jr. |

| Docket # | Title | County | Judge |
|-----------|---|---------|--------------|
| 99-1585-1 | In The Matter of: Gleisner (Civil) Decision: Remanded | Onslow | Fuller, Jr. |
| 99-1306-1 | Block v County of Person, et al (Civil) Decision: Affirmed | Person | Edmunds, Jr. |
| 99-1297-1 | Keech v Hendricks (Civil) Decision: Reversed and remanded | Pitt | Hunter |
| 99-1477-1 | Cantrell v Wishon (Civil) Decision: Reversed and remanded | Polk | Wynn, Jr. |
| 99-1241-1 | Connelly v Family Inns of America (Civil) Decision: Affirmed in part, reversed in part and remanded | Robeson | Lewis, Jr. |
| 99-1242-1 | Evans v Family Inns of America (Civil) Decision: Affirmed in part, reversed in part, and remanded | Robeson | Lewis, Jr. |
| 99-1250-1 | State v Chavis (Criminal) Decision: No error | Robeson | Greene |
| 00-89-1 | State v Hammonds (Criminal) Decision: No error | Robeson | Edmunds, Jr. |
| 99-1243-1 | Yadkin Valley v Baker, et al (Civil) Decision: Affirmed | Surry | Wynn, Jr. |
| 99-1244-1 | Yadkin Valley v Baker (Civil) Decision: Affirmed | Surry | Wynn, Jr. |
| 99-1513-1 | Davis v Town of Stallings BOA (Civil) Decision: Affirmed | Union | Lewis, Jr. |
| 99-1335-1 | Liberty Mutual v Pennington (Civil) Decision: Reversed and remanded | Wake | Wynn, Jr. |
| 99-1367-1 | NC State Bar v Frazier (Civil) Decision: Reversed and remanded | Wake | Edmunds, Jr. |
| 99-1392-1 | Erie Insurance Exchange v Bledsoe (Civil) Decision: New trial | Wake | Hunter |
| 99-1563-1 | State v Moraitis (Civil) Decision: Vacated and remanded | Watauga | Edmunds, Jr. |
| 99-1522-1 | State v Allen (Criminal) Decision: No error | Wilkes | Lewis, Jr. |
| 99-1408-1 | Blackburn v State Farm Mutual (Civil) Decision: Reversed and remanded | Wilson | Walker |

**IN THE
COURT OF APPEALS**

CASES REPORTED WITHOUT PUBLISHED OPINIONS

**(FILED 29 DECEMBER 2000)
(MANDATE 18 JANUARY 2001)**

| Docket # | Title | County | Judge |
|-----------|---|---|-----------------|
| 99-1106-1 | State v White (Criminal) Decision: No error | Avery 97CRS589 | Eagles, Jr. |
| 99-1352-1 | Jay's Mountain Estate v Smith, et al (Civil) Decision: Reversed and remanded | Buncombe 96CVS5169 | Timmons-Goodson |
| 00-330-1 | Scales v Burke Co. Board of Education (Civil) Decision: Appeal dismissed | Burke 98CVS1002 | John, Sr. |
| 00-405-1 | State v Lawing (Criminal) Decision: No error | Cabarrus 99CRS18194 99CRS15110 | Greene |
| 00-423-1 | In The Matter of: Leonard (Civil) Decision: Affirmed | Cabarrus 98J119 98J118 | Greene |
| 99-1152-1 | Reece v Estate of Swann, et al (Civil) Decision: Affirmed | Catawba 98CVS1246 | Wynn, Jr. |
| 99-1286-1 | Mitchell v Transworld Systems, Inc. (Civil) Decision: Dismissed | Cumberland 98CVS5839 | Hunter |
| 00-206-1 | State v Jones (Criminal) Decision: No error | Cumberland 97CRS48135 | Greene |
| 00-689-1 | State v Monk (Criminal) Decision: No error | Cumberland 97CRS49865 97CRS49864 | Smith |
| 99-1350-1 | State v Armstrong (Criminal) Decision: No error in defendant's trial; remanded for resentencing | Duplin 98CRS9177 98CRS9178 98CRS9176 | Martin |
| 99-1368-1 | State v Boyd (Criminal) Decision: Vacated and remanded for resentencing | Durham 95CRS18886 95CRS14675 95CRS18887 95CRS14676 95CRS13585 95CRS14674 | Lewis, Jr. |
| 99-1436-1 | Kelley v City of Durham (Civil) Decision: Reversed and remanded | Durham 98CVS1240 | Hunter |
| 00-36-1 | Lexington Ins. Co. v John Doe 1, et al (Civil) Decision: Affirmed | Durham 99CVS00119 | Horton, Jr. |
| 00-227-1 | In Re: Holloway (Criminal) Decision: Appeal dismissed | Durham 99J252 | Greene |
| 00-287-1 | State v Wilder (Criminal) Decision: No error | Durham 98CRS8760 98CRS8759 | Greene |
| 00-466-1 | In The Matter of: Womack (Civil) | Durham 97J166 | Fuller, Jr. |

| Docket # | Title | County | Judge |
|-----------|---|--|--------------|
| | Decision: Affirmed | | |
| 00-588-1 | State v Brown (Criminal) | Durham 98CRS20099 | Smith |
| | Decision: No error | | |
| 99-1458-1 | McHam v North Carolina Mutual Life (Civil) | Forsyth 98CVS2347 | Greene |
| | Decision: Affirmed | | |
| 99-1480-1 | Browne v Winston-Salem State University (Civil) | Forsyth 98CVS8024 | Hunter |
| | Decision: Affirmed | | |
| 00-424-1 | State v Tate (Criminal) | Forsyth 98CRS46910 | Fuller, Jr. |
| | Decision: No error | | |
| 99-1535-1 | State v McNeal (Criminal) | Granville 98CRS4286 98CRS4440 98CRS4287 98CRS4285 98CRS4438 | McGee |
| | Decision: Defendant received a fair trial, free from prejudicial error | | |
| 99-1287-1 | State v Pratt (Criminal) | Guilford 98CRS1847 98CRS23021 98CRS1848 98CRS1764 98CRS1849 | Walker |
| | Decision: No error | | |
| 00-58-1 | State v McCoy (Criminal) | Guilford 96CRS22246 95CRS78199 | Fuller, Jr. |
| | Decision: No error | | |
| 99-1340-1 | State v Reeves (Criminal) | Haywood 99CRS198 99CRS196 | Edmunds, Jr. |
| | Decision: No error | | |
| 00-624-1 | State v Arrington (Criminal) | Haywood 99CRS2120 99CRS2119 | Smith |
| | Decision: Affirmed | | |
| 00-449-1 | In The Matter of: Davis (Civil) | Hertford 94J2223 | Greene |
| | Decision: Affirmed | | |
| 00-279-1 | In Re: Brown (Civil) | Iredell 98J32 | Greene |
| | Decision: Affirmed | | |
| 99-1487-1 | State v Davis (Criminal) | Mecklenburg 98CRS8626 98CRS8627 98CRS8625 | Wynn, Jr. |
| | Decision: No error in part, and reversed and remanded in part | | |
| 99-1491-1 | State v Jenkins (Criminal) | Mecklenburg 98CRS16840 | Walker |
| | Decision: No error | | |
| 99-1607-1 | Robinson v Bethune (Civil) | Mecklenburg 96CVS11697 | McGee |
| | Decision: Reversed and remanded | | |
| 00-625-1 | State v Barringer (Criminal) | Mecklenburg 98CRS42794 | Smith |
| | Decision: No error | | |

| Docket # | Title | County | Judge |
|-----------|--|--|--------------|
| 00-92-1 | State v Gaddy (Criminal) Decision: Remanded with instructions | Montgomery 97CRS2384 96CRS3506 | Smith |
| 99-1387-1 | State v Medlin (Criminal) Decision: No error | Moore 97CRS7107 98CRS1433 98CRS1431 98CRS1434 97CRS7105 98CRS1432 | Walker |
| 99-382-1 | Andrews v ITT Grinnell Piping Company (Civil) Decision: Affirmed | N.C. Industrial Commission IC254816 | McGee |
| 99-1414-1 | Greene v Absorba Oshkosh, et al (Civil) Decision: Affirmed | N.C. Industrial Commission IC254230 | Edmunds, Jr. |
| 99-1475-1 | Young v PH Glatfelter/Ecusta Division (Civil) Decision: Affirmed in part, remanded in part | N.C. Industrial Commission IC004933 | Wynn, Jr. |
| 99-1525-1 | Austin v The Caswell Center (Civil) Decision: Reversed and remanded | N.C. Industrial Commission TA12771 | Edmunds, Jr. |
| 99-1613-1 | James v Communication Services (Civil) Decision: Affirmed | N.C. Industrial Commission IC741010 | Horton, Jr. |
| 99-1620-1 | Sheehan v Perry M. Alexander Const. (Civil) Decision: Vacated and remanded | N.C. Industrial Commission IC261808 | Edmunds, Jr. |
| 00-216-1 | McLaughlin v Black & Decker (Civil) Decision: Affirmed | N.C. Industrial Commission IC453126 | Fuller, Jr. |
| 99-1399-1 | State v Stokeley (Criminal) Decision: No error | New Hanover 98CRS12271 98CRS12269 | Walker |
| 99-1452-1 | Hiles v Wal-Mart Stores, Inc. (Civil) Decision: No error | New Hanover 96CVS3489 | Edmunds, Jr. |
| 99-1514-1 | Selby v Fornes (Civil) Decision: Affirmed | Pamlico 99CVS234 | Wynn, Jr. |
| 00-493-1 | State v Hayes (Criminal) Decision: No error | Pender 99CRS1104 | Smith |
| 99-1124-1 | State v Taylor (Criminal) Decision: No prejudicial error | Pitt 97CRS9958 97CRS9957 | Wynn, Jr. |
| 00-300-1 | State v Davis (Criminal) Decision: Affirmed | Pitt 96CRS32704 | Fuller, Jr. |
| 00-317-1 | State v Whitaker (Criminal) Decision: Affirmed | Pitt 98CRS16014 99CRS5545 98CRS16015 98CRS16013 99CRS5544 | Smith |

| Docket # | Title | County | Judge |
|-----------|--|--|--------------|
| 00-454-1 | State v Wooten (Criminal) Decision: Affirmed | Pitt 97CRS1741 97CRS1739 | Smith |
| 00-251-1 | State v Perkins (Criminal) Decision: No error | Rockingham 92CRS7023 | Greene |
| 00-754-1 | In The Matter of: Herbin (Civil) Decision: Affirmed | Rockingham 98J37 | Fuller, Jr. |
| 99-1235-1 | State v Hough (Criminal) Decision: No error | Union 97CRS16624 97CRS16623 | Edmunds, Jr. |
| 99-1615-1 | Turner v Turner (Civil) Decision: Dismissed | Union 99CVD242 | Lewis, Jr. |
| 99-1544-1 | Kanipe v Faulkner (Civil) Decision: Vacated and remanded | Wake 99CVS1860 | Walker |
| 99-1598-1 | Barrett v N.C. Psychology Board (Civil) Decision: Vacated and remanded | Wake 96CVS10899 | Martin |
| 99-1631-1 | Griswold v Gomez, et al (Civil) Decision: Affirmed | Wake 99CVS822 | Edmunds, Jr. |
| 00-620-1 | Bromhal v Stott (Civil) Decision: Dismissed | Wake 88CVD11968 | Smith |
| 00-196-1 | State v Sykes (Criminal) Decision: No error | Wayne 98CRS16958 | Fuller, Jr. |
| 00-389-1 | State v Sherrod (Civil) Decision: No error | Wayne 98CRS002084 98CRS11299 98CRS002083 | Fuller, Jr. |
| 00-579-1 | State v McCoy (Criminal) Decision: No error | Wayne 98CRS20799 98CRS20798 99CRS6759 | Fuller, Jr. |
| 00-433-1 | State v Holden (Criminal) Decision: Affirmed | Wilson 94CRS1998 | Smith |