

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 JUNE 2001)**  
**(MANDATE 25 JUNE 2001)**

Docket #	Title	County	Judge
00-140-1	Andrews v Crump, et al (Civil) <b>Decision:</b> Affirmed	Alleghany	Hudson
00-247-1	Merrick v Peterson et al v Hooper et al (Civil) <b>Decision:</b> Affirmed	Brunswick	Campbell, Jr.
00-286-1	State v Rourke (Criminal) <b>Decision:</b> No error	Brunswick	Biggs
00-873-1	In The Matter of: Pope (Civil) <b>Decision:</b> Affirmed	Buncombe	Greene
00-415-1	Prior v Pruett, et al (Civil) <b>Decision:</b> Reversed	Burke	Biggs
00-151-1	Hamby v Hamby (Civil) <b>Decision:</b> Affirmed	Catawba	Hunter
99-1508-1	State v Holt (Criminal) <b>Decision:</b> Affirmed in part, vacated and remanded in part	Cumberland	Hunter
00-820-1	In The Matter of: Powers (Criminal) <b>Decision:</b> Affirmed	Davidson	Greene
99-1629-1	State v Mason (Criminal) <b>Decision:</b> No error	Durham	Biggs
00-53-1	GATX Logistics, Inc. v Lowe's Companies (Civil) <b>Decision:</b> Reversed in part, affirmed in part	Forsyth	Wynn, Jr.
99-1467-1	Greene Citizens v Greene Co. BOC (Civil) <b>Decision:</b> Reversed and remanded	Greene	Walker
00-661-1	Womack v Stephens (Civil) <b>Decision:</b> New trial	Guilford	Tyson
00-404-1	Groves v Community Housing (Civil) <b>Decision:</b> Affirmed	Haywood	Wynn, Jr.
00-545-1	Coffey, et al v Town of Waynesville (Civil) <b>Decision:</b> Affirmed	Haywood	Campbell, Jr.
00-313-1	In The Matter of: Eades (Criminal) <b>Decision:</b> Vacated and remanded	Lee	Biggs
00-510-1	Waters v Jarman, et al (Civil) <b>Decision:</b> Reversed	Lenoir	Martin
00-630-1	Whaley v White Consolidated Ind. (Civil) <b>Decision:</b> No error	Lenoir	Martin

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00-222-1	Hill, et al v Williams, et al (Civil) <b>Decision:</b> No error	Lincoln	John, Sr.
00-705-1	In The Matter of: Allison (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Wynn, Jr.
00-789-1	Taylor v Taylor, et al (Civil) <b>Decision:</b> Affirmed	Moore	Hunter
99-1572-1	State v Parker & Holloway (Criminal) <b>Decision:</b> In State v. Parker, No.98CRS5278, vacated and remanded for re-sentencing. In State v. Parker, Nos.98CRS5277, 5280, no error. In State v. Holloway, Nos. 98CRS5327, 5329, no error.	Nash	Walker
00-253-1	Chapel Hill Cinemas Inc v Robbins et al (Civil) <b>Decision:</b> No error in part; new trial in part	Orange	Martin
00-334-1	In The Matter of: Brooks (Civil) <b>Decision:</b> Reversed and remanded	Orange	Timmons-Goodson
00-527-1	Town of Hillsborough v Crabtree, et al (Civil) <b>Decision:</b> Affirmed	Orange	Tyson
00-629-1	Doe v Jenkins, et al (Civil) <b>Decision:</b> Judgment on the pleadings is reversed Summary judgment is affirmed	Orange	Martin
00-739-1	Zenobile v McKecuen, et al (Civil) <b>Decision:</b> Reversed	Pasquotank	Hudson
00-703-1	Pitts v American Security Insurance (Civil) <b>Decision:</b> Reversed in part, vacated in part and remanded	Pitt	Greene
00-143-1	Gibson v Mena, et al (Civil) <b>Decision:</b> Reversed	Robeson	John, Sr.
00-674-1	In Re: Estate of Lunsford (Civil) <b>Decision:</b> Affirmed	Surry	McCullough
00-598-1	Haker-Volkening v Haker (Civil) <b>Decision:</b> Reversed and vacated	Transylvania	Hudson
00-470-1	Mabrey v Smith, et al (Civil) <b>Decision:</b> Affirmed	Wake	Thomas, Jr.
00-719-1	State, ex rel., Barker v Ellis (Civil) <b>Decision:</b> Affirmed	Wake	Wynn, Jr.

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00-307-1	State v Poteat (Criminal) <b>Decision:</b> No error	Alamance 98CRS26048	Tyson
00-804-1	State v Slade (Criminal) <b>Decision:</b> Reversed	Alamance 99CRS50030	Greene
00-621-1	Phipps v McCann (Civil) <b>Decision:</b> Dismissed	Alleghany 99CVD164	Greene
00-868-1	State v Montgomery (Criminal) <b>Decision:</b> Affirmed	Bladen 97CRS8969	Timmons-Goodson
00-815-1	Waters v Wal-Mart Stores, Inc., et al (Civil) <b>Decision:</b> Appeal dismissed; petition denied	Buncombe 99CVS4927	Per Curiam
00-866-1	State v Ducker (Criminal) <b>Decision:</b> No error	Buncombe 99CRS63130 99CRS63070	Timmons-Goodson
00-329-1	State v Page (Criminal) <b>Decision:</b> Affirmed	Chatham 98CRS2474	Walker
00-165-1	Finkley v Faulkner (Civil) <b>Decision:</b> Affirmed	Craven 99CVS317	Thomas, Jr.
00-166-1	Callicoat v Faulkner, et al (Civil) <b>Decision:</b> Affirmed	Craven 99CVS111	Thomas, Jr.
00-762-1	Deco, Inc. v Hebert, et al (Civil) <b>Decision:</b> Appeal dismissed	Cumberland 99CVS6039	John, Sr.
00-848-1	State v Claridy (Criminal) <b>Decision:</b> No error	Cumberland 98CRS070751 98CRS070752	Greene
00-889-1	State v Rodgers (Criminal) <b>Decision:</b> No error	Cumberland 00CRS8785	Timmons-Goodson
00-892-1	State v Melvin (Criminal) <b>Decision:</b> Affirmed	Cumberland 00CRS3820 98CRS38382 98CRS40071 98CRS40070 98CRS7829	Greene
00-844-1	State v Crisp (Criminal) <b>Decision:</b> Affirmed	Davidson 99CRS18979 98CRS12675 98CRS14503	Greene
00-502-1	State v Burwell (Criminal) <b>Decision:</b> No error	Durham 98CRS38817 99CRS18396	Wynn, Jr.
00-546-1	State v Hall (Criminal)	Durham 98CRS28807	John, Sr.

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	<b>Decision:</b> Affirmed		
00-819-1	Miller v Shanoski (Civil)	Durham 99CVD2761	Greene
	<b>Decision:</b> Dismissed		
00-909-1	Valentine v Barnes (Civil)	Durham 98CVS04971	Greene
	<b>Decision:</b> Affirmed		
99-1623-2	Cheek v Sutton (Civil)	Forsyth 98CVS3123	Eagles, Jr.
	<b>Decision:</b> No error		
00-304-1	In The Matter of: Spencer & Davis (Civil)	Forsyth 96J386 96J385	Walker
	<b>Decision:</b> Affirmed		
00-566-1	In The Matter of: Hayes (Criminal)	Forsyth 89SPC0377	Greene
	<b>Decision:</b> Affirmed		
00-770-1	Bryant v Patterson (Civil)	Forsyth 99CVS6129	Greene
	<b>Decision:</b> Affirmed		
00-869-1	State v Mock (Criminal)	Forsyth 97CRS48380	Greene
	<b>Decision:</b> No error		
00-682-1	State v Brandon (Criminal)	Granville 99CRS1578	John, Sr.
	<b>Decision:</b> No error		
00-817-1	State v Miller (Criminal)	Greene 98CRS002941 98CRS002938 98CRS002942 98CRS002939	Greene
	<b>Decision:</b> No error		
00-496-1	State v Evans (Criminal)	Guilford 98CRS87454	John, Sr.
	<b>Decision:</b> No error		
00-664-1	Hanhan Investment v McAdoo, Inc., et al (Civil)	Guilford 99CVS8520	Tyson
	<b>Decision:</b> Dismissed and remanded		
00-794-1	State v Sanders (Criminal)	Guilford 99CRS42159	John, Sr.
	<b>Decision:</b> No error		
00-476-1	State v Staton (Criminal)	Halifax 98CRS11257 98CRS11259 98CRS11256	Greene
	<b>Decision:</b> No error		
00-516-1	State v Williams (Criminal)	Harnett 99CRS2122 99CRS2120	Martin
	<b>Decision:</b> No error; remanded for resentencing		
00-814-1	State v Frierson (Criminal)	Hoke 99CRS3068	John, Sr.
	<b>Decision:</b> Affirmed; remanded for entry of a corrected judgment		
00-388-1	Anderson v Summers (Civil)	Iredell 99CVD1305	Greene

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	<b>Decision:</b> Affirmed		
00-800-1	State v Moore (Criminal)	Lee 99CRS7341 99CRS7183 99CRS7340	Timmons-Goodson
	<b>Decision:</b> No error		
00-509-1	Johnson v Wright, et al (Civil)	Lenoir 99CVS549	Martin
	<b>Decision:</b> Reversed		
00-779-1	State v Ott (Criminal)	Lenoir 99CRS7737	Timmons-Goodson
	<b>Decision:</b> No error		
00-532-1	State v Spencer (Criminal)	Martin 99CRS1917 99CRS105 99CRS106	John, Sr.
	<b>Decision:</b> No error		
00-646-1	Trujillo, et al v Vick, et al (Civil)	Martin 99CVS37	Martin
	<b>Decision:</b> No error		
00-457-1	State v George (Criminal)	Mecklenburg 98CRS7922 99CRS130974 98CRS7923 98CRS7921 98CRS7924	Smith
	<b>Decision:</b> No error		
00-483-1	State v White (Criminal)	Mecklenburg 98CRS10121	John, Sr.
	<b>Decision:</b> Remanded with instructions		
00-589-1	State v Allen (Criminal)	Mecklenburg 99CRS120929 98CRS145938 99CRS120930 99CRS120928 98CRS38325 98CRS38319 98CRS38323 98CRS38326 98CRS38321 98CRS38324 98CRS38327 98CRS38322	Greene
	<b>Decision:</b> Case number 98CRS38325 remanded for resentencing		
00-764-1	State v White (Criminal)	Mecklenburg 97CRS37271 97CRS37777	Greene
	<b>Decision:</b> No error		
00-783-1	State v March (Criminal)	Mecklenburg 97CRS33524	Timmons-Goodson
	<b>Decision:</b> No error in defendant's trial; remanded for entry of a corrected judgment		
00-437-1	State v Styles (Criminal)	Mitchell 99CRS586 99CRS1306 99CRS587 99CRS585 99CRS588	Timmons-Goodson
	<b>Decision:</b> No error		
00-230-1	Mote v University of NC-Wilmington (Civil)	N.C. Industrial Commission TA14394	Timmons-Goodson
	<b>Decision:</b> Affirmed		
00-565-1	Bivens v Delta Woodsides/Delta Mills (Civil)	N.C. Industrial Commission IC164471	McCullough
	<b>Decision:</b> Reversed and remanded		

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00-879-1	Schenck v Freightliner Corp. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC724651	Timmons-Goodson
00-649-1	McCowan v Edwards (Civil) <b>Decision:</b> No prejudicial error	Nash 97CVS838	Wynn, Jr.
00-441-1	State v Southerland (Criminal) <b>Decision:</b> No error	New Hanover 98CRS025876 98CRS19371	Hunter
00-564-1	State v McKoy (Criminal) <b>Decision:</b> No error	New Hanover 98CRS34385	Martin
00-214-1	Williams v Wal-Mart Stores, Inc. (Civil) <b>Decision:</b> Affirmed	Northampton 97CVS210	Campbell, Jr.
00-881-1	Latta v Reece (Civil) <b>Decision:</b> Affirmed	Onslow 99CVS1977	Greene
00-826-1	Berman v Pinciss (Civil) <b>Decision:</b> Reversed	Orange 99CVS1328	Martin
00-864-1	State v Jenks (Criminal) <b>Decision:</b> No error	Richmond 99CRS5456	Greene
00-552-1	State v Hernandez (Criminal) <b>Decision:</b> No error	Sampson 99CRS0183	Wynn, Jr.
00-654-1	Edmonds v Templeton (Civil) <b>Decision:</b> No error	Surry 98CVS95	Greene
00-498-1	State v Sexton (Criminal) <b>Decision:</b> No error in trial. Remanded for correction of judgments	Wake 98CRS415 98CRS416	John, Sr.
00-535-1	McFadden v Wake County BOE (Civil) <b>Decision:</b> Affirmed	Wake 99CVS432	Bryant
00-747-1	State v Martinez (Criminal) <b>Decision:</b> No error	Wake 99CRS3735 99CRS3736 99CRS3734	John, Sr.
00-818-1	State v Walker (Criminal) <b>Decision:</b> No error	Wake 98CRS102470	Timmons-Goodson
00-863-1	State v Collins (Criminal) <b>Decision:</b> No error	Wake 99CRS30359 99CRS30360	Timmons-Goodson
00-870-1	State v Hedgepeth (Criminal) <b>Decision:</b> No error	Wake 98CRS12283 98CRS12284	Greene
00-911-1	Sarr v Sarr (Civil)	Wake 00CVD1514	Greene

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<b>Decision:</b> Affirmed			