

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 6 NOVEMBER 2001)
(MANDATE 26 NOVEMBER 2001)

Docket #	Title	County	Judge
00-895-1	State v Barber (Criminal) Decision: New trial	Alexander	Timmons-Goodson
00-1210-1	State v Kincaid (Criminal) Decision: No error	Buncombe	McGee
00-1355-1	State v Greenlee (Criminal) Decision: No error	Buncombe	Greene
00-1474-1	Fulcher v Golden (Civil) Decision: Affirmed	Carteret	Tyson
00-1079-1	State v Woods (Criminal) Decision: Affirmed	Caswell	Thomas, Jr.
00-992-1	Godette v Godette (Civil) Decision: Reversed and remanded	Craven	Thomas, Jr.
00-1358-1	Duncan v Duncan (Civil) Decision: Affirmed in part and reversed in part	Craven	Walker
00-1220-1	Gaskill v Jennette Enterprises, Inc. (Civil) Decision: Reversed and remanded	Dare	Eagles, Jr.
00-1244-1	In Re: Estate of Monk (Civil) Decision: Affirmed	Duplin	Hudson
00-1464-1	Bell v Nationwide Insurance Company (Civil) Decision: Affirmed	Duplin	Tyson
00-1032-1	Couch v Private Diagnostic Clinic (Civil) Decision: Affirmed in part; reversed and remanded in part	Durham	Hunter
00-1279-1	State v Parker (Criminal) Decision: No error as to 99CRS011122,011123; judgment vacated in 99CRS011124 and remanded	Durham	Hunter
00-1435-1	In The Matter Of: Dexter (Civil) Decision: Affirmed	Durham	Thomas, Jr.
00-957-1	Raspet v Buck (Civil) Decision: Affirmed	Guilford	Biggs
00-1160-1	Seyboth v Seyboth (Civil) Decision: Reversed and remanded	Guilford	Bryant

Docket #	Title	County	Judge
00-1202-1	State v McNair (Criminal) Decision: Accordingly, as to No.00CRS023236 (two counts of second degree kidnapping), we vacate the 60-month enhanced sentence based on the firearm possession, judgment is arrested, and the case is remanded for resentencing. As to No. 98CRS040303 (robbery with dangerous weapon), No. 00CRS023235 (two counts of robbery with dangerous weapon, No.00CRS023237 (robbery with dangerous weapon and first degree kidnapping), no error	Guilford	McCullough
00-1195-1	In The Matter Of The Will Of McCauley (Civil) Decision: Affirmed	Harnett	Greene
00-396-1	Maraman v Cooper Steel, et al (Civil) Decision: New trial as to defendant Cooper Steel [Judge Greene concurring Part I of Judge John's opinion], Judge Tyson dissenting; no error as to defendant Gray [Judge Greene concurring in Judge Tyson's opinion dealing with part II of Judge John's opinion regarding defendant Gray], Judge John dissenting	Mecklenburg	John, Sr.
00-1179-1	Moore v Wood (Civil) Decision: Affirmed	Mecklenburg	Campbell, Jr.
00-1267-1	State v Garcia (Criminal) Decision: Vacated	Mecklenburg	Greene
00-1346-1	American Ripener Co., Inc. v Offerman (Civil) Decision: Affirmed	Mecklenburg	Martin
00-1360-1	Davis v Kelly (Civil) Decision: Affirmed and remanded	Mecklenburg	Martin
00-1384-1	Barber v The Presbyterian Hospital (Civil) Decision: New trial	Mecklenburg	McCullough
00-1140-1	In The Matter Of: Pierce (Civil) Decision: Reversed	New Hanover	Hudson
00-1190-1	Lewis v Edwards (Civil) Decision: Affirmed in part, reversed in part and remanded	Robeson	Greene
00-1348-1	Washington v Mitchell (Civil) Decision: Affirmed	Stokes	Walker
00-1063-1	State v Stitt (Criminal) Decision: No Error	Union	Hunter
00-1123-1	In The Matter of the Estate of Hanner (Civil) Decision: Affirmed	Union	Hudson
00-374-1	Cacha v Montaco, Inc., et al (Civil) Decision: Affirmed	Wake	John, Sr.
00-999-1	State v Butler (Criminal) Decision: No error	Wake	Hunter

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00-1078-1	Monteau v Reis Trucking & Construction (Civil) Decision: Affirmed in part, reversed in part, and remanded	Wake	Greene
00-1111-1	Oberlin Capital v Slavin, et al (Civil) Decision: Affirmed as to Bettina Slavin, Joseph Finn-Egan, and Jeffrey Lipkin. Affirmed in part and reversed in part as to Edward Slavin	Wake	Eagles, Jr.
00-1347-1	State v West (Criminal) Decision: No error	Wake	Greene
00-1356-1	Shwe v Jaber (Civil) Decision: Affirmed	Wake	Martin
00-1225-1	Hilliard v Hilliard (Civil) Decision: Affirmed	Warren	Wynn, Jr.
00-1165-1	State v Green (Criminal) Decision: Affirmed	Wayne	Hunter
00-1104-1	Schmeltzle v Schmeltzle (Civil) Decision: Reversed and remanded	Wilson	Bryant

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00-1493-1	State v Scott (Criminal)	Alamance 00CRS0203,99CRS57105,00- CRS0202	Campbell, Jr.
	Decision: Remanded for resentencing		
01-30-1	State v Blount (Criminal)	Alexander 97CRS4127	Campbell, Jr.
	Decision: Affirmed		
00-605-1	State v Galindo (Criminal)	Buncombe 98CRS10545,98CRS56101,9- 8CRS002751,98CRS10547	Eagles, Jr.
	Decision: No error as to 98CRS2751 and 98CRS10545. New trial as to 98CRS56101 and 98CRS10547.		
00-1226-1	State v Smith (Criminal)	Buncombe 99CRS008019,99CRS008021- ,99CRS008010,99CRS05374- 1,99CRS008014,99CRS008011	Hudson
	Decision: No error		
01-28-1	State v Hardee (Criminal)	Columbus 98CRS9160,99CRS6579	Campbell, Jr.
	Decision: Affirmed		
01-148-1	State v Fonville (Criminal)	Craven 99CRS14063	Campbell, Jr.
	Decision: No error		
00-1144-1	State v Lee (Criminal)	Cumberland 00CRS14518	McGee
	Decision: Affirmed		
00-1297-1	State v Mitchell (Criminal)	Cumberland 98CRS73090,98CRS73141	Hudson
	Decision: Affirmed		
00-1322-1	State v Paige (Criminal)	Cumberland 99CRS67537	Tyson
	Decision: No error		
00-1061-1	State v McDonald (Criminal)	Durham 99CRS68896,99CRS68897	Campbell, Jr.
	Decision: No error		
00-1419-1	State v Short (Criminal)	Durham 00CRS51233	Campbell, Jr.
	Decision: No error		
00-451-1	Davis v Davis (Civil)	Forsyth 98CVD1744	Thomas, Jr. Court withdrew opinion 8-24-01 that was originally filed on 8-7-01
	Decision: Affirmed in part, reversed and remanded in part		
00-1241-1	State v Covert (Criminal)	Forsyth 99CRS54137,00CRS27454	Campbell, Jr.
	Decision: No error		
00-1304-1	Pizzino v Pizzino (Civil)	Forsyth 99CVD7911	Hunter
	Decision: Affirmed		
00-1305-1	State v Morgan (Criminal)	Forsyth 99CRS46367,00CRS3262	Wynn, Jr.

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	Decision: No prejudicial error		
00-1345-1	State v Brown (Criminal)	Forsyth 00CRS27620	Campbell, Jr.
	Decision: Affirmed in part and remanded		
00-1367-1	State v Key (Criminal)	Forsyth 00CRS20219,00CRS20885	Campbell, Jr.
	Decision: No error		
00-1547-1	State v Sykes (Criminal)	Forsyth 99CRS18175	Campbell, Jr.
	Decision: No error		
00-1366-1	State v Perry (Criminal)	Franklin 98CRS5760,97CRS6122	Campbell, Jr.
	Decision: No error		
00-1115-1	In Re: Stewart (Civil)	Gaston 98J333	Eagles, Jr.
	Decision: Affirmed		
01-44-1	Gett v Bostic (Civil)	Granville 97CVS452	Per Curiam
	Decision: Appeal Dismissed		
00-1272-1	State v Byrd (Criminal)	Guilford 99CRS100936,99CRS100937	Hunter
	Decision: No prejudicial error		
00-1324-1	Jackson v AOC (Civil)	Guilford 99CVS9148	Thomas, Jr.
	Decision: Affirmed		
00-1442-1	State v Thompson (Criminal)	Guilford 98CRS45077	Tyson
	Decision: No error		
00-1503-1	State v Ward (Criminal)	Guilford 99CRS65176,00CRS23399	Campbell, Jr.
	Decision: Affirmed		
00-1087-1	State v Chamberlain (Criminal)	Harnett 99CRS9804,98CRS15021,98-CRS15022	Tyson
	Decision: No prejudicial error		
00-1537-1	In Re: Sawvel and Werbelow (Civil)	Harnett 99J74,99J75	Thomas, Jr.
	Decision: Affirmed		
00-1223-1	State v Watts (Criminal)	Hertford 99CRS2789,99CRS2786,99C-RS2790,99CRS2787	Walker
	Decision: No error		
00-803-1	Lundy v Melex USA, Inc. (Civil)	Johnston 98CVS1397	Greene
	Decision: Affirmed		
00-1409-1	State v Robinson (Criminal)	Lenoir 99CRS5754	Campbell, Jr.
	Decision: No error		
00-910-1	Howie v Ashour (Civil)	Mecklenburg 99CVS10751	Campbell, Jr.
	Decision: Affirmed		

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00-1423-1	State v Bernal (Criminal) Decision: No error	Mecklenburg 00CRS3008	Campbell, Jr.
00-1422-1	State v Morales-Berrios (Criminal) Decision: Reversed and remanded for a new hearing	Moore 99CRS4339	Tyson
00-931-1	Linker v Coy's Auto Parts (Civil) Decision: Affirmed	N.C. Industrial Commission IC646299	Biggs
00-1505-1	Hughes v Rhodes, Inc. (Civil) Decision: Affirmed	N.C. Industrial Commission IC279832	Campbell, Jr.
01-133-1	State v Ogundeji (Criminal) Decision: No error	New Hanover 99CRS025804	Campbell, Jr.
00-1261-1	In The Matter Of: Johnson (Civil) Decision: Affirmed	Onslow 00J77	McGee
00-955-1	Chaigneau v Wheeler (Civil) Decision: Affirmed	Orange 98CVD1759	Campbell, Jr.
00-1372-1	Widewaters Property v Investors Title (Civil) Decision: Reversed and remanded	Orange 00CVS240	Tyson
01-139-1	State v Jenkins (Criminal) Decision: No error	Person 99CRS7039	Campbell, Jr.
00-1300-1	State v Glenn (Criminal) Decision: No error	Randolph 98CRS5540,98CRS5541	Wynn, Jr.
00-1277-1	State v Davis (Criminal) Decision: No error	Rowan 98CRS12998	Per Curiam
00-1478-1	State v Tucker (Criminal) Decision: No error	Rowan 99CRS17411	Tyson
00-1310-1	Horne v Flack (Civil) Decision: No error	Rutherford 96CVD784	Thomas, Jr.
01-88-1	State v McLendon (Criminal) Decision: Affirmed	Union 99CRS18042,99CRS17775,9- 9CRS18040,99CRS17291,00- CRS3993,99CRS17776,99C- RS18041,99CRS17292,99CR- S18039	Campbell, Jr.
00-828-1	Paar v Glenaire, Inc. (Civil) Decision: Affirmed in part, reversed and remanded in part	Wake 98CVS13013	Thomas, Jr.
00-1254-1	Koone v Benton (Civil) Decision: Affirmed	Watauga 99CVD547	Walker

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00-1012-1	State v Newsome (Criminal) Decision: No error	Wayne 98CRS16619,98CRS14020,9- 8CRS14828	Thomas, Jr.
00-1421-1	In The Matter Of: Carter (Criminal) Decision: Affirmed	Wilson 98J41B	Hunter