

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 MARCH 2002)**  
**(MANDATE 8 APRIL 2002)**

Docket #	Title	County	Judge
01-454-1	State v Tew (Criminal) <b>Decision:</b> Affirmed	Alamance	Greene
01-580-1	In Re: Matherly (Civil) <b>Decision:</b> Reversed and remanded	Alamance	Thomas, Jr.
01-470-1	Taylor v Abernethy (Civil) <b>Decision:</b> No error in part; reversed in part and remanded for new trial	Burke	Hunter
01-445-1	Henlajon, Inc. v Branch Highways, Inc. (Civil) <b>Decision:</b> Affirmed	Chatham	Tyson
01-373-1	State v Wood (Criminal) <b>Decision:</b> No error	Cleveland	Smith
01-375-1	Storch v Winn-Dixie Charlotte, Inc. (Civil) <b>Decision:</b> No error	Cumberland	Martin
01-427-1	Aubin v Susi (Civil) <b>Decision:</b> Vacated and remanded in part; reversed and remanded in part	Davidson	Hunter
01-348-1	Tuckett v Guerrier (Civil) <b>Decision:</b> Reversed and remanded	Durham	Greene
00-1509-1	State v Thompson (Criminal) <b>Decision:</b> No error	Forsyth	Campbell, Jr.
01-641-1	State v Terry (Criminal) <b>Decision:</b> Affirmed	Forsyth	Walker
01-648-1	State v Phillips (Criminal) <b>Decision:</b> No error	Forsyth	Hunter
01-23-1	Bunn Lake Prop. Owner's Assoc. v Setzer (Civil) <b>Decision:</b> Affirmed	Franklin	Biggs
01-301-1	Flitt v Flitt (Civil) <b>Decision:</b> Appeal dismissed	Gaston	Timmons-Goodson
00-899-1	State v Harris (Criminal) <b>Decision:</b> New trial	Graham	Campbell, Jr.
00-1162-1	State v Holadia and Cooper (Criminal) <b>Decision:</b> No error as to defendant Holadia, docket nos. 99CRS386,387, and 389. New trial as to defendant Cooper, docket nos. 99CRS463,464, and 465.	Hyde	Tyson
01-207-1	State v Payne (Criminal) <b>Decision:</b> No error	Iredell	Bryant

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01-585-1	State v Kornegay (Criminal) <b>Decision:</b> No error	Lenoir	Timmons-Goodson
01-459-1	Young v Mastrom, Inc. (Civil) <b>Decision:</b> Reversed and remanded	Moore	Greene
01-234-1	Gayton v Gage Carolina Metals, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McGee
01-302-1	Moore v Concrete Supply (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Wynn, Jr.
01-428-1	Bridwell v Golden Corral Steak House (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Martin
01-378-1	Hopkins v Nash County (Civil) <b>Decision:</b> Affirmed	Nash	Bryant
01-284-1	Cole v Cole (Civil) <b>Decision:</b> Affirmed	Randolph	Wynn, Jr.
01-236-1	State v Napier (Criminal) <b>Decision:</b> No error	Richmond	Eagles, Jr.
01-275-1	State v Patterson (Criminal) <b>Decision:</b> No error	Rowan	Hunter
01-397-1	Fairfield Mtn Prop Owners v Doolittle (Civil) <b>Decision:</b> Dismissed	Rutherford	Wynn, Jr.
01-167-1	Allstate Insurance v Oxendine (Civil) <b>Decision:</b> Affirmed	Scotland	Thomas, Jr.
01-603-1	Simpson v Simpson (Civil) <b>Decision:</b> Affirmed	Stanly	Greene
01-173-1	Gibby v Lindsey (Civil) <b>Decision:</b> Affirmed	Swain	Greene
01-82-1	Griswold v Integon General Ins. Corp. (Civil) <b>Decision:</b> Affirmed in part, reversed in part	Union	McCullough
01-22-1	Gray v NC Dept of Environment (Civil) <b>Decision:</b> Motion to Dismiss denied. Reversed and remanded	Wake	Hudson
01-233-1	Cain v NC DOT (Civil) <b>Decision:</b> Affirmed	Wake	Timmons-Goodson
01-271-1	State v Osborne (Criminal) <b>Decision:</b> No error	Watauga	Hunter

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Docket #	Title	County	Judge
01-294-1	Matter of: Johnson (Criminal)	Alamance 90J113	Wynn, Jr.
	<b>Decision:</b> Adjudication Order--reversed in part; affirmed in part. Disposition Order--vacated and remanded.		
01-482-1	Graves Evans Enterprises v Chambers (Civil)	Alamance 98CVD1280	Walker
	<b>Decision:</b> Affirmed in part, reversed in part and remanded		
01-658-1	State v Velazquez (Criminal)	Alamance 00CRS53025,00CRS53027	Eagles, Jr.
	<b>Decision:</b> No error		
01-524-1	Wilson v Taylor (Civil)	Carteret 00CVS786	Walker
	<b>Decision:</b> Appeal dismissed		
01-555-1	Hill v Taylor (Civil)	Carteret 00CVS797	Walker
	<b>Decision:</b> Appeal dismissed		
00-1533-1	State v Leggett (Criminal)	Columbus 97CRS9062,97CRS9063	Bryant
	<b>Decision:</b> Affirmed		
01-449-1	Babcock v Cumberland County (Civil)	Cumberland 00CVS107	Walker
	<b>Decision:</b> Affirmed		
01-526-1	State v Johnson (Criminal)	Cumberland 99CRS71836,99CRS71833,9- 9CRS71834	Eagles, Jr.
	<b>Decision:</b> No error		
00-1398-1	State v Marvin (Criminal)	Dare 99CRS02024,99CRS02022,9- 9CRS02025,99CRS02023,99- CRS02026	Bryant
	<b>Decision:</b> No error		
00-1523-1	Olving v Olving (Civil)	Dare 00CVD398	McGee
	<b>Decision:</b> Affirmed		
01-326-1	In Re: B.P. (Criminal)	Durham 99J134	Walker
	<b>Decision:</b> Affirmed		
01-845-1	State v McLean (Criminal)	Forsyth 97CRS17129	Eagles, Jr.
	<b>Decision:</b> Affirmed		
01-99-1	Le v Harris (Civil)	Gaston 98CVD2674	Campbell, Jr.
	<b>Decision:</b> Affirmed		
00-1238-1	State v Farrar (Criminal)	Guilford 98CRS52504,98CRS23361	Hudson
	<b>Decision:</b> No error		
01-518-1	State v Hout (Criminal)	Guilford 00CRS23384,00CRS23597	Wynn, Jr.
	<b>Decision:</b> No error		
01-595-1	State v Holt (Criminal)	Guilford 99CRS51771,99CRS23625,9- 9CRS51772,99CRS23626	Wynn, Jr.

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	<b>Decision:</b> No error		
01-758-1	State v King (Criminal)	Guilford 00CRS80494,00CRS80495	Eagles, Jr.
	<b>Decision:</b> No error		
01-180-1	In Re: America (Civil)	Harnett 95J19,95J17,95J18	Bryant
	<b>Decision:</b> Affirmed		
01-374-1	In Re: Quick (Civil)	Harnett 97J14,97J17,97J12,97J15,97- J13,97J16	McCullough
	<b>Decision:</b> Affirmed		
01-737-1	State v Butts (Criminal)	Harnett 00CRS5573,00CRS6943	Eagles, Jr.
	<b>Decision:</b> No error		
01-781-1	State v Sprouse (Criminal)	Henderson 00CRS2809,00CRS51991	Eagles, Jr.
	<b>Decision:</b> No error		
01-565-1	Duncan v Duncan (Civil)	Iredell 99CVD14	Wynn, Jr.
	<b>Decision:</b> Affirmed		
01-780-1	State v Benfield (Criminal)	Iredell 99CRS2507	Eagles, Jr.
	<b>Decision:</b> No error		
01-49-1	Elliott v Birth (Civil)	Lee 98CVD473	Biggs
	<b>Decision:</b> Reversed		
01-50-1	Elliott v Birth (Civil)	Lee 98CVD471	Biggs
	<b>Decision:</b> Reversed		
00-1320-1	State v Clark (Criminal)	Lenoir 98CRS12008	Eagles, Jr.
	<b>Decision:</b> As to convictions for breaking and entering and larceny after breaking or entering: No error. As to conviction for possession of stolen property: Judgment vacated. Remanded for resentencing		
01-409-1	Caskey v Green (Civil)	Lincoln 00SP203	Hudson
	<b>Decision:</b> Appeal dismissed		
01-430-1	State v Little (Criminal)	Mecklenburg 97CRS34922	Eagles, Jr.
	<b>Decision:</b> Judgment arrested and order vacated		
01-1017-1	In the Matter of: Thomas (Civil)	Mecklenburg 00J0105,00J0106	Eagles, Jr.
	<b>Decision:</b> Affirmed		
00-1487-1	Tarpley v Cone Mills Corporation (Civil)	N.C. Industrial Commission IC848309	McGee
	<b>Decision:</b> Affirmed		
01-515-1	Parsons v K-Mart Corporation (Civil)	N.C. Industrial Commission IC725281	Wynn, Jr.
	<b>Decision:</b> Affirmed		
01-550-1	Butler v E.I. Dupont De Nemours & Co. (Civil)	N.C. Industrial Commission IC746977	Wynn, Jr.
	<b>Decision:</b> Vacated and remanded		

Docket #	Title	County	Judge
01-514-1	Ward v Perry (Civil) <b>Decision:</b> No error	Nash 99CVS1464	Campbell, Jr.
00-1512-1	Raether v Pelican Properties, Inc. (Civil) <b>Decision:</b> Affirmed	Onslow 00CVS254	Bryant
01-634-1	State v Alston (Criminal) <b>Decision:</b> No error; remanded for resentencing	Orange 95CRS15817,95CRS13980,9-5CRS15816	Hunter
01-962-1	In Re: Irby (Civil) <b>Decision:</b> Affirmed	Person 99J98	McGee
01-2-1	State v Campbell (Criminal) <b>Decision:</b> Affirmed	Robeson 97CRS22535	Biggs
01-107-1	State v McMillian (Criminal) <b>Decision:</b> No error	Robeson 98CRS10682	McCullough
01-59-1	Holcomb v Holcomb (Civil) <b>Decision:</b> Affirmed	Wake 99CVD2171	Biggs
01-141-1	Wake Human Services v Morrill (Civil) <b>Decision:</b> Appeal dismissed	Wake 00CVD6255	Biggs
00-1443-1	State v Everett (Criminal) <b>Decision:</b> No error in part, vacated in part and remanded for resentencing	Wayne 99CRS54892	McGee
01-665-1	State v Pearsall (Criminal) <b>Decision:</b> No error	Wayne 99CRS53487	Eagles, Jr.