

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 7 MAY 2002)
(MANDATE 28 MAY 2002)

| Docket # | Title | County | Judge |
|----------|--|-------------|---------------|
| 01-964-1 | In the Matter of: Williams (Civil) Decision: Affirmed | Brunswick | Campbell, Jr. |
| 01-557-1 | In the Matter of: Roberts (Civil) Decision: Affirmed | Buncombe | Tyson |
| 01-539-1 | Craig v Faulkner (Civil) Decision: Reversed and remanded | Caldwell | Hudson |
| 01-370-1 | Blanton v Fitch (Civil) Decision: Reversed | Cleveland | Thomas, Jr. |
| 01-501-1 | State v Cobb (Criminal) Decision: In 99CRS009436, felony larceny, judgment arrested. In 99CRS006993, first degree murder, no error. In 99CRS006991, the judgment is vacated and remanded for resentencing. | Craven | Walker |
| 01-626-1 | Eastern Carolina Internal Med v Faidas (Civil) Decision: Affirmed | Craven | Tyson |
| 01-273-1 | Sowers v Toliver (Civil) Decision: Vacated in part, reversed and remanded in part | Davidson | Thomas, Jr. |
| 01-27-1 | Land v Tall House Bldg. Co. (Civil) Decision: Reversed and remanded | Durham | McCullough |
| 01-628-1 | Johnson v Harris (Civil) Decision: Reversed | Durham | Hunter |
| 01-154-1 | Ausley v Bishop (Civil) Decision: Affirmed in part, vacated in part, reversed and remanded in part | Forsyth | Thomas, Jr. |
| 01-277-1 | Kolb, et al v Schatzman & Assoc, et al (Civil) Decision: Affirmed | Forsyth | Hudson |
| 01-775-1 | Burgess v First Union Nat'l Bank of NC (Civil) Decision: Affirmed | Forsyth | McCullough |
| 01-739-1 | Dixie Lumber Co. v NC DEHNR (Civil) Decision: Affirmed | Gaston | Wynn, Jr. |
| 01-642-1 | Darroch v Lea (Civil) Decision: Appeal dismissed | Harnett | Bryant |
| 01-503-1 | State v Dixon (Criminal) Decision: New trial | Iredell | Martin |
| 01-734-1 | Tucker v The Boulevard at Piper Glen (Civil) Decision: Affirmed in part and remanded in part | Mecklenburg | Hunter |

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| 01-842-1 | Roary v Bolton (Civil) Decision: No error | Mecklenburg | Thomas, Jr. |
| 01-77-1 | State v Christian (Criminal) Decision: No error | Montgomery | Campbell, Jr. |
| 00-1546-1 | Town of Cameron v Woodell (Civil) Decision: Affirmed in part; reversed in part | Moore | Timmons-Goodson |
| 00-1448-1 | Foster v U.S. Airways, Inc. (Civil) Decision: Affirmed | N.C. Industrial Commission | Bryant |
| 01-724-1 | Landry v US Airways, Inc. (Civil) Decision: Reversed and remanded | N.C. Industrial Commission | Greene |
| 01-848-1 | Ratchford v C.C. Mangum, Inc. (Civil) Decision: Appeal dismissed | N.C. Industrial Commission | Martin |
| 01-856-1 | Shockley v Cairn Studios, Ltd. (Civil) Decision: Affirmed in part, reversed in part and remanded | N.C. Industrial Commission | Tyson |
| 00-1501-1 | In the Matter of: Brown (Criminal) Decision: Reversed | New Hanover | McCullough |
| 00-616-2 | State v Smith (Criminal) Decision: No error | Orange | Hunter |
| 01-322-1 | Devone v Pickett (Civil) Decision: No error | Pender | McGee |
| 01-745-1 | Colombo v Stevenson (Civil) Decision: Reversed and remanded | Pitt | Walker |
| 01-6-1 | State v Hunt (Criminal) Decision: Reversed and remanded | Robeson | McCullough |
| 01-458-1 | State v Spivey (Criminal) Decision: Affirmed | Robeson | Wynn, Jr. |
| 01-479-1 | State v Castor (Criminal) Decision: No error | Rowan | Martin |
| 01-312-1 | State v Davis (Criminal) Decision: Affirmed | Surry | McGee |
| 01-206-1 | Guilford Financial Serv. v Brevard (Civil) Decision: Vacated and remanded | Transylvania | Hudson |
| 01-821-1 | Martin v Parker (Civil) Decision: Affirmed | Union | Tyson |
| 01-118-1 | Best v Dept. of Health & Human Services (Civil) Decision: Affirmed | Wake | Hudson |
| 01-304-1 | Batdorff v NC State Bd. of Elections (Civil) Decision: Affirmed | Wake | McGee |

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| 01-321-1 | Shook v Lynch & Howard (Civil) Decision: Affirmed | Wake | Hudson |
| 01-870-1 | Conseco Finance v Dependable Housing (Civil) Decision: Affirmed | Wake | Thomas, Jr. |

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| 01-645-1 | State v Smith (Criminal) | Alexander 99CRS3026 99CRS3022 99CRS3027 99CRS3023 | Wynn, Jr. |
| | Decision: No error | | |
| 01-1073-1 | Maldari v Hollar (Civil) | Alexander 01CVD199 | Martin |
| | Decision: Dismissed | | |
| 01-404-1 | State v Rees (Criminal) | Buncombe 99CRS57428 | Thomas, Jr. |
| | Decision: Affirmed | | |
| 01-1012-1 | In the Matter of: Coffey (Criminal) | Buncombe 99J21 | Hudson |
| | Decision: Affirmed | | |
| 01-331-1 | Ratcliff v NC Health & Human Services (Civil) | Burke 00CVS679 | Campbell, Jr. |
| | Decision: Affirmed | | |
| 01-752-1 | In Re: Murray (Civil) | Cabarrus 00J85 | Greene |
| | Decision: Affirmed | | |
| 01-303-1 | State v Culpepper (Criminal) | Carteret 99CRS9314 | Thomas, Jr. |
| | Decision: No error | | |
| 00-1268-1 | Whisnant v Whisnant (Civil) | Catawba 95CVD1541 | Campbell, Jr. |
| | Decision: Affirmed | | |
| 01-94-1 | Dale K. Cline, CPA, PLLC v Dahle (Civil) | Catawba 00CVS2114 | McCullough |
| | Decision: Affirmed | | |
| 01-1156-1 | State v Small (Criminal) | Columbus 98CRS5650 98CRS3598 98CRS5656 98CRS5654 98CRS5651 98CRS3597 98CRS5655 98CRS5653 98CRS5650 98CRS5657 98CRS3202 98CRS5654 98CRS5652 98CRS5649 98CRS3598 98CRS5656 98CRS3197 98CRS5653 98CRS5651 98CRS3611 98CRS5657 98CRS5655 98CRS5652 98CRS3202 98CRS5649 98CRS3197 98CRS3611 98CRS3597 | Martin |
| | Decision: Affirmed | | |
| 01-941-1 | State v Covington (Criminal) | Cumberland 00CRS54480 00CRS53981 00CRS55326 00CRS54478 00CRS4713 00CRS54481 00CRS53982 00CRS54479 00CRS4714 00CRS54482 00CRS53983 | Tyson |
| | Decision: Dismissed | | |
| 01-1127-1 | State v Shaheed (Criminal) | Cumberland 99CRS66126 | Tyson |

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| | Decision: No error | | |
| 01-195-1 | Burns, et al v Beacham (Civil) | Dare 00CVS24 | Campbell, Jr. |
| | Decision: Affirmed | | |
| 01-285-1 | Walser v Walser (Civil) | Davidson 99CVD1222 | Timmons-Goodson |
| | Decision: Affirmed | | |
| 01-583-1 | In the Matter of: K.M.A, S.L.A (Civil) | Davidson 00J41 00J42 | Eagles, Jr. |
| | Decision: Affirmed | | |
| 01-802-1 | In the Matter of: K.M.A., S.L.A. (Civil) | Davidson 00J41 00J42 | Eagles, Jr. |
| | Decision: Affirmed | | |
| 01-455-1 | State v Jones (Criminal) | Durham 98CRS38495 99CRS18397 | Campbell, Jr. |
| | Decision: No error at trial; remanded for correction of clerical error | | |
| 01-814-1 | State v McCallum (Criminal) | Durham 00CRS57624 00CRS22512 00CRS57623 | Hudson |
| | Decision: No error | | |
| 00-1391-1 | State v Burgess (Criminal) | Forsyth 00CRS7228 | Eagles, Jr. |
| | Decision: No error | | |
| 01-400-1 | In the Matter of: Calleja (Civil) | Forsyth 97J434 97J435 | Bryant |
| | Decision: Affirmed | | |
| 01-523-1 | State v Valentine (Criminal) | Forsyth 00CRS5148 00CRS51404 00CRS5149 00CRS5147 00CRS51403 00CRS5148 00CRS25310 00CRS51410 00CRS5147 00CRS51404 00CRS13025 00CRS5149 00CRS5146 00CRS51410 00CRS25310 00CRS13025 00CRS5146 00CRS51403 | Martin |
| | Decision: No error | | |
| 01-925-1 | State v Boler (Criminal) | Forsyth 00CRS56359 | Hudson |
| | Decision: No error | | |
| 01-1071-1 | State v Moody (Criminal) | Forsyth 99CRS23310 99CRS23311 | Hudson |
| | Decision: No error | | |
| 01-1150-1 | State v Miller (Criminal) | Forsyth 99CRS450299 99CRS45305 99CRS450300 99CRS450298 99CRS450301 | Martin |
| | Decision: Affirmed | | |
| 01-190-1 | State v Bridges (Criminal) | Gaston 98CRS25427 | McGee |
| | Decision: No error | | |
| 01-590-1 | State v Simms (Criminal) | Guilford 99CRS62919 00CRS23225 | Walker |

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| | Decision: No error | | |
| 01-597-1 | Guy M. Turner, Inc. v Commercial Plant (Civil) | Guilford 99CVS1816 | Hudson |
| | Decision: Affirmed | | |
| 01-672-1 | State v Wallace (Criminal) | Guilford 99CRS104819 00CRS23223 | Thomas, Jr. |
| | Decision: No error | | |
| 01-1104-1 | State v Chavis (Criminal) | Guilford 00CRS23781 00CRS100029 | Martin |
| | Decision: No error | | |
| 01-262-1 | State v Malone (Criminal) | Halifax 98CRS11263 98CRS11261 98CRS11262 | Eagles, Jr. |
| | Decision: No prejudicial error | | |
| 01-1055-1 | State v Raynor (Criminal) | Hertford 99CRS1533 99CRS1291 99CRS2482 99CRS1294 99CRS1292 99CRS1293 99CRS1295 99CRS1292 99CRS1294 99CRS1291 99CRS1295 99CRS1293 | Hudson |
| | Decision: Remanded for re-sentencing; motion for appropriate relief dismissed | | |
| 01-543-1 | Liotta v Lakeside Restaurant & Lounge (Civil) | Iredell 99CVS1808 | Biggs |
| | Decision: Reversed and remanded in part; affirmed in part | | |
| 01-663-1 | Padgett v Pro Sports, Inc. (Civil) | Iredell 99CVS2678 | Wynn, Jr. |
| | Decision: Affirmed in part, dismissed in part | | |
| 01-617-1 | Bumgarner v Wood (Civil) | Jackson 99CVD560 | Martin |
| | Decision: Reversed | | |
| 01-508-1 | State v Vinson (Criminal) | Johnston 99CRS50507 | Wynn, Jr. |
| | Decision: No error | | |
| 01-1253-1 | State v Monroe (Criminal) | Lee 01CRS50216 01CRS50213 | Martin |
| | Decision: No error | | |
| 01-875-1 | State v Barnette (Criminal) | Lincoln 96CRS3813 | Hudson |
| | Decision: No error | | |
| 01-223-1 | State v Bland (Criminal) | Martin 99CRS1792 | Biggs |
| | Decision: No error | | |
| 01-540-1 | State v Burke (Criminal) | Mecklenburg 00CRS3390 00CRS3392 | Tyson |
| | Decision: No error | | |
| 01-699-1 | Zaben v Gardiner (Civil) | Mecklenburg 00CVD1307 | Walker |
| | Decision: Affirmed | | |
| 01-1201-1 | State v Goad (Criminal) | Mecklenburg 99CRS144164 | Martin |
| | Decision: No error | | |

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| 01-904-1 | McKinney v Stafford (Civil) Decision: Affirmed and remanded; motion for sanctions denied | Mitchell 99CVS227 | Hudson |
| 01-797-1 | Underwood v Northwestern Mutual Life (Civil) Decision: Affirmed | Moore 00CVS1306 | Walker |
| 01-1125-1 | State v Cummings (Criminal) Decision: Affirmed | Moore 97CRS9469 97CRS9470 | Tyson |
| 01-522-1 | Clunk v Pfizer, Inc. (Civil) Decision: Affirmed | N.C. Industrial Commission IC943216 | Biggs |
| 01-366-1 | Keffer v Keffer (Civil) Decision: Affirmed | New Hanover 98CVD3112 | Hudson |
| 01-497-1 | Benton v American Int'l Underwriters (Civil) Decision: Affirmed | New Hanover 00CVS3229 | McGee |
| 01-1010-1 | State v Goode (Criminal) Decision: No error | Northampton 00CRS2030 00CRS2028 00CRS2029 | Hudson |
| 01-928-1 | State v Alston (Criminal) Decision: Affirmed | Pasquotank 00CRS2445 | Hudson |
| 01-1053-1 | In the Matter of: Matasich (Criminal) Decision: Vacated | Pender 99J61 | Tyson |
| 01-235-1 | State v Gilley (Criminal) Decision: No error | Randolph 97CRS3847 | Campbell, Jr. |
| 01-751-1 | State v Crump (Criminal) Decision: No error | Richmond 99CRS8727 01CRS291 | Wynn, Jr. |
| 01-412-1 | State v Muentnich (Criminal) Decision: No error | Robeson 99CRS3441 | Tyson |
| 01-414-1 | State v Robinson (Criminal) Decision: No error | Robeson 97CRS11369 97CRS11371 | Biggs |
| 01-511-1 | State v Leggett (Criminal) Decision: No error | Robeson 99CRS6847 | Campbell, Jr. |
| 01-509-1 | State v McMasters (Criminal) Decision: No error | Rockingham 00CRS4501 | Hudson |
| 01-474-1 | Brewer v Finney (Civil) Decision: Affirmed | Rowan 96CVD15 | Biggs |

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| 01-811-1 | State v Bell (Criminal) | Sampson 00CRS2308 00CRS51768 00CRS51769 00CRS2309 00CRS51768 00CRS2309 00CRS51769 00CRS2308 | Tyson |
| | Decision: No error | | |
| 01-513-1 | Thompson v Thompson (Civil) | Stanly 98CVD674 | Martin |
| | Decision: Affirmed | | |
| 01-1296-1 | State v Allen (Criminal) | Union 00CRS11367 00CRS53356 | Martin |
| | Decision: No error | | |
| 01-723-1 | Jones v Summit Homes Group, Inc. (Civil) | Wake 99CVS8992 | Hunter |
| | Decision: Reversed and remanded | | |
| 01-778-1 | Merritt v Durham Taxicab Assoc., Inc. (Civil) | Wake 00CVD7791 | Biggs |
| | Decision: Appeal dismissed | | |
| 01-1087-1 | Ray v Young (Civil) | Wake 98CVS6514 | Hudson |
| | Decision: Affirmed | | |
| 01-1131-1 | State v Langston (Criminal) | Wake 00CRS16123 00CRS16124 | Tyson |
| | Decision: No error | | |
| 01-1210-1 | State v Williams (Criminal) | Wake 95CRS88991 95CRS88992 | Martin |
| | Decision: No error | | |
| 01-894-1 | State v Matthews (Criminal) | Wayne 00CRS54404 00CRS5692 | Tyson |
| | Decision: No error | | |
| 01-1049-1 | State v James (Criminal) | Wayne 99CRS9378 | Martin |
| | Decision: No error | | |
| 01-1115-1 | State v Farr (Criminal) | Wilson 00CRS50587 00CRS50588 | Martin |
| | Decision: No error | | |