

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 16 JULY 2002)**  
**(MANDATE 5 AUGUST 2002)**

Docket #	Title	County	Judge
01-531-1	State v Uvalle (Criminal) <b>Decision:</b> No error	Brunswick	Hudson
01-471-1	Sibley v NC Board of Therapy Examiners (Civil) <b>Decision:</b> Affirmed	Buncombe	McGee
01-1036-1	State v Maney (Criminal) <b>Decision:</b> No error	Buncombe	Thomas, Jr.
01-539-2	Craig v Faulkner (Civil) <b>Decision:</b> Reversed and remanded	Caldwell	Hudson
01-766-1	Wolf v Wolf (Civil) <b>Decision:</b> Affirmed	Catawba	Tyson
01-805-1	Davis v NC Department of Crime Control (Civil) <b>Decision:</b> Affirmed	Catawba	Eagles, Jr.
01-871-1	In the Matter of: Poole (Civil) <b>Decision:</b> Vacated and remanded	Cumberland	Greene
01-1276-1	Sloan v Sloan (Civil) <b>Decision:</b> Affirmed	Cumberland	Tyson
01-330-1	Wilkerson v Norfolk Southern Railway (Civil) <b>Decision:</b> Affirmed	Durham	Thomas, Jr.
01-464-1	State v Jones (Criminal) <b>Decision:</b> No error	Durham	McGee
01-564-1	State v Dexter, et al (Criminal) <b>Decision:</b> New trial	Durham	Greene
01-948-1	J.M. Development Group v Glover (Civil) <b>Decision:</b> Reversed and remanded	Durham	Thomas, Jr.
01-985-1	State v Reid (Criminal) <b>Decision:</b> No error	Forsyth	Hunter
01-1202-1	State v Stevens (Criminal) <b>Decision:</b> Judgments vacated.	Forsyth	Tyson
01-1262-1	Mark Group International, Inc. v Still (Civil) <b>Decision:</b> Affirmed	Forsyth	Wynn, Jr.
01-613-1	Integon Specialty Ins. Co. v Austin (Civil) <b>Decision:</b> Affirmed	Guilford	Eagles, Jr.
01-957-1	State v Reid (Criminal) <b>Decision:</b> No error	Guilford	Hunter

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01-1106-1	In Re: Adoption of Cunningham (Civil) <b>Decision:</b> Affirmed	Harnett	Hunter
01-1123-1	State v Wright (Criminal) <b>Decision:</b> No error	Henderson	Walker
01-1098-1	Weaver v O'Neal (Civil) <b>Decision:</b> Affirmed	Johnston	Wynn, Jr.
01-795-1	State v Gay (Criminal) <b>Decision:</b> No error	Mecklenburg	Tyson
01-936-1	Barnhouse v American Express Financial (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg	Timmons-Goodson
01-690-1	Nix v Collins & Aikman Co. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Timmons-Goodson
01-703-1	Futrell v Resinall Corporation (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Hunter
01-716-1	Bailey v Western Staff Services (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Biggs
01-1023-1	Kanipe v Lane Upholstery (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Greene
01-1203-1	Osmond v Carolina Concrete (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Walker
01-1224-1	Robbins v Wake County Bd. of Education (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Hunter
01-769-1	North Carolina State Bar v Gilbert (Civil) <b>Decision:</b> Affirmed	N.C. State Bar	Martin
01-1229-1	Urquhart v University Health Systems (Civil) <b>Decision:</b> Reversed and remanded	Pitt	Greene
01-1167-1	In the Matter of: Appeal of Frizzelle (Civil) <b>Decision:</b> Affirmed	Property Tax Commission	Thomas, Jr.
01-1270-1	In the Matter of: Beasley (Civil) <b>Decision:</b> Affirmed	Randolph	Martin
01-1031-1	State v Eubanks (Criminal) <b>Decision:</b> No error	Richmond	Hunter
01-1269-1	In Re: Locklear (Civil) <b>Decision:</b> Reversed and remanded	Robeson	Thomas, Jr.
01-662-1	Efird v Hubbard (Civil) <b>Decision:</b> Affirmed	Stanly	Timmons-Goodson
01-485-1	Transylvania County v Moody (Civil) <b>Decision:</b> Affirmed in part and vacated in part	Transylvania	Campbell, Jr.

Docket #	Title	County	Judge
01-661-1	Wise v Harrington Grove Community Assoc (Civil) <b>Decision:</b> Affirmed	Wake	Tyson
01-920-1	Baker v Showalter (Civil) <b>Decision:</b> Affirmed	Wake	Biggs
01-1091-1	Carolantic Realty v Matco Group (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Wake	Hunter
01-1187-1	State v Williams (Criminal) <b>Decision:</b> No error	Wake	Martin
01-1273-1	Pineda-Lopez v NC Growers Association (Civil) <b>Decision:</b> Vacated and remanded	Wake	Wynn, Jr.

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Docket #	Title	County	Judge
01-1002-1	State v Alexander (Criminal) <b>Decision:</b> No error	Alexander 97CRS3912,97CRS3913	Martin
01-1327-1	State v Kirby (Criminal) <b>Decision:</b> No error	Anson 97CRS84	Bryant
01-1421-1	Jolly v Garcia's, Inc. (Civil) <b>Decision:</b> Affirmed	Brunswick 01CVS884	Bryant
01-361-1	State v Young (Criminal) <b>Decision:</b> No error	Buncombe 97CRS50521,97CRS7061,9- 9CRS2319,97CRS7062,99C- RS2320	Timmons-Goodson
01-732-1	State v Payne (Criminal) <b>Decision:</b> No error	Buncombe 99CRS4235,99CRS50017	Timmons-Goodson
01-1001-1	In the Matter of: Bethea (Civil) <b>Decision:</b> Affirmed	Buncombe 99J321,99J319,99J320	Campbell, Jr.
01-1028-1	Stein v Asheville City Schools (Civil) <b>Decision:</b> Dismissed	Buncombe 01CVS1219	Campbell, Jr.
01-678-1	Erwin v Tweed (Civil) <b>Decision:</b> Affirmed	Burke 99CVS278	Eagles, Jr.
01-826-1	State v Gell (Criminal) <b>Decision:</b> Affirmed	Cabarrus 01CRS2803	Campbell, Jr.
01-1228-1	State v Poteat (Criminal) <b>Decision:</b> No error	Cabarrus 99CRS12325	Bryant
01-1277-1	Nationwide Mutual Insurance Co. v Price (Civil) <b>Decision:</b> Affirmed	Caldwell 99CVS1958	Thomas, Jr.
01-401-1	State v West (Criminal) <b>Decision:</b> No error	Carteret 99CRS9998 99CRS9999,99CRS9999,99- CRS9998	Bryant
01-707-1	Santos v Santos (Civil) <b>Decision:</b> Affirmed	Catawba 96CVD569	Timmons-Goodson
01-1024-1	State v Flowers (Criminal) <b>Decision:</b> No error	Cleveland 97CRS7539,97CRS7540,97- CRS7539,97CRS7538,97CRS7540 97CRS7538,97CRS3039	Wynn, Jr.
01-554-1	State v Lewis (Criminal) <b>Decision:</b> No error	Cumberland 97CRS57684	Timmons-Goodson

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01-1092-1	Sprincenatu v Allstate Indemnity Co. (Civil) <b>Decision:</b> Affirmed	Durham 01CVS21	Wynn, Jr.
01-1177-1	State v Neale (Criminal) <b>Decision:</b> No error	Durham 00CRS61212,00CRS18778,- 00CRS61211	Walker
01-1344-1	Fulford v Aiken (Civil) <b>Decision:</b> Dismissed	Durham 00CVS5120	Bryant
01-1453-1	Asphalt Experts, Inc. v Barnes Plumbing (Civil) <b>Decision:</b> Appeal dismissed	Durham 01CVS2789	Bryant
01-57-1	State v Clifton (Criminal) <b>Decision:</b> No error	Forsyth 99CRS37252,99CRS37247,- 99CRS37251	McCullough
01-342-1	State v McCrae (Criminal) <b>Decision:</b> No error	Forsyth 00CRS28213,00CRS50003	Timmons-Goodson
01-574-1	State v Burns (Criminal) <b>Decision:</b> No error	Forsyth 00CRS54326,00CRS35132,- 00CRS54324	Timmons-Goodson
01-835-1	State v Hargett (Criminal) <b>Decision:</b> New trial	Forsyth 00CRS3607,00CRS52546	Biggs
01-992-1	In Re: Lee (Civil) <b>Decision:</b> Affirmed	Forsyth 00J41	Campbell, Jr.
01-1005-1	Perlmutter Printing v Elite Force (Civil) <b>Decision:</b> New trial	Forsyth 98CVD4566	Walker
01-1011-1	State v Christian (Criminal) <b>Decision:</b> No error	Forsyth 00CRS52665,01CRS3848	Timmons-Goodson
01-1191-1	State v Spease (Criminal) <b>Decision:</b> No error	Forsyth 00CRS21098,00CRS20202,- 00CRS20205	Bryant
01-1416-1	State v Hinton (Criminal) <b>Decision:</b> No error	Forsyth 00CRS58316	Bryant
00-1462-1	State v Lewis (Criminal) <b>Decision:</b> No error	Gaston 99CRS3781,99CRS3778,99- CRS3782,99CRS3779,99CRS3783	McCullough
01-798-1	State v White (Criminal) <b>Decision:</b> No error; Remanded for correction of clerical errors.	Gaston 97CRS24489,97CRS22156,- 97CRS24483	Timmons-Goodson

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01-1254-1	State v Dameron (Criminal) <b>Decision:</b> No error	Gaston 97CRS20344	Bryant
02-32-1	In Re: Herndon (Civil) <b>Decision:</b> Affirmed	Granville 00J92,00J93	Bryant
01-477-1	State v Parson (Criminal) <b>Decision:</b> No error	Guilford 00CRS86976,00CRS23572	Timmons-Goodson
01-786-1	State v Hendricks (Criminal) <b>Decision:</b> No error	Guilford 00CRS83135	Thomas, Jr.
01-958-1	State v Miller (Criminal) <b>Decision:</b> No error	Guilford 98CRS15719	Timmons-Goodson
01-1218-1	State v Alston (Criminal) <b>Decision:</b> No error	Guilford 00CRS96123	Thomas, Jr.
01-1503-1	State v Hayes (Criminal) <b>Decision:</b> No error	Guilford 99CRS52870,99CRS23624,- 99CRS52869	Bryant
01-1133-1	State v Johnson (Criminal) <b>Decision:</b> No error	Halifax 98CRS3157	Timmons-Goodson
01-1317-1	In Re: Ramsey (Civil) <b>Decision:</b> Affirmed	Henderson 99J157-T	Bryant
01-1398-1	State v Billings (Criminal) <b>Decision:</b> No error	Iredell 99CRS22743,99CRS17467	Bryant
01-1116-1	State v Howze (Criminal) <b>Decision:</b> No error	Mecklenburg 00CRS8825,00CRS8826	Walker
01-1165-1	Bowling v Bowling (Civil) <b>Decision:</b> Appeal dismissed	Moore 99CVD1117	Per Curiam
01-714-1	Olivares-Juarez v Showell Farms (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission IC558811	Timmons-Goodson
01-1062-1	Thompson v Cardinal Freight (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC805856	Eagles, Jr.
01-1240-1	State v Brown (Criminal) <b>Decision:</b> No error	New Hanover 99CRS17551	Bryant
01-252-1	State v Brown (Criminal) <b>Decision:</b> No error	Onslow 99CRS57459	Timmons-Goodson
01-1278-1	State v Kubricht (Criminal)	Onslow 00CRS52330	Bryant

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	<b>Decision:</b> No error		
01-1295-1	Cooney v Sabiston (Civil)	Onslow 97CVS2467	Tyson
	<b>Decision:</b> No error		
01-1241-1	Trask v Pender County (Civil)	Pender 00CVS386	Bryant
	<b>Decision:</b> Dismissed		
01-525-1	State v Carmon (Criminal)	Pitt 99CRS64973	Eagles, Jr.
	<b>Decision:</b> No error		
01-1139-1	State v Jackson (Criminal)	Pitt 99CRS55307,99CRS55727	Bryant
	<b>Decision:</b> No error		
01-787-1	Cantrell v Polk Co. Bd. of Adjustment (Civil)	Polk 00CVS260	Tyson
	<b>Decision:</b> Vacated and remanded		
01-1041-1	State v Herbin (Criminal)	Rockingham 99CRS3784,99CRS3787,99- CRS3782,99CRS3785,99CR- S3783,99CRS3786	Hunter
	<b>Decision:</b> No error		
01-760-1	State v Sutton (Criminal)	Swain 99CRS800,99CRS801	Biggs
	<b>Decision:</b> No error		
01-1444-1	State v Mason (Criminal)	Swain 00CRS1149	Bryant
	<b>Decision:</b> No error		
01-1196-1	Bell v Transamerican Medical, Inc. (Civil)	Transylvania 01CVD290	McCullough
	<b>Decision:</b> Dismissed		
01-451-1	State v Gardner (Criminal)	Wake 98CRS98313	McGee
	<b>Decision:</b> No error		
01-544-1	TGC Dev., Inc. v Aegean Land Co. (Civil)	Wake 99CVS03103,99CVS03101,9- 9CVD6579,99CVS03102	McGee
	<b>Decision:</b> Affirmed		
01-1076-1	In the Matter of: Williams (Criminal)	Wake 93J66	Bryant
	<b>Decision:</b> Affirmed		
01-1083-1	State v Hunichen (Criminal)	Wake 99CRS64657,99CRS18803,- 99CRS35200	Martin
	<b>Decision:</b> No error		
01-1313-1	NC Association v NC DHHS (Civil)	Wake 01CVS5425	Bryant
	<b>Decision:</b> Dismissed		
01-1425-1	State v Hinnant (Criminal)	Wake 96CRS990	Bryant
	<b>Decision:</b> No error		
01-1499-1	State v Malloy (Criminal)	Wake 99CRS85270,99CRS97205	Bryant

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	<b>Decision:</b> No error		
01-631-1	State v Pineda (Criminal)	Wayne 00CRS746	Timmons-Goodson
	<b>Decision:</b> No error		
01-1117-1	State v Rouse (Criminal)	Wayne 00CRS5202425	Bryant
	<b>Decision:</b> No error		
01-1322-1	State v Smith (Criminal)	Wayne 98CRS15006	Bryant
	<b>Decision:</b> No error		
01-1378-1	State v Cantrell (Criminal)	Wayne 00CRS51119,00CRS51117,0- 0CRS51118	Bryant
	<b>Decision:</b> No error		
01-1189-1	Minton v Bowman (Civil)	Wilkes 00CVS566	Walker
	<b>Decision:</b> Affirmed		