

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 NOVEMBER 2002)**  
**(MANDATE 25 NOVEMBER 2002)**

Docket #	Title	County	Judge
01-1003-1	State v Bartlett (Criminal) <b>Decision:</b> No error	Alamance	Timmons-Goodson
01-1356-1	State v Hill (Civil) <b>Decision:</b> Vacated and remanded	Brunswick	McCullough
01-1357-1	State v Hill (Civil) <b>Decision:</b> Vacated and remanded	Brunswick	McCullough
01-1479-1	Bee Tree Missionary Baptist v McNeil (Civil) <b>Decision:</b> Affirmed	Buncombe	Walker
01-1601-1	Franks v Franks (Civil) <b>Decision:</b> Affirmed	Buncombe	Wynn, Jr.
01-1428-1	State v Trull (Criminal) <b>Decision:</b> No error	Cabarrus	Martin
02-85-1	State v Simpson (Criminal) <b>Decision:</b> No error	Cabarrus	Martin
02-100-1	Coffman v W. Earl Roberson, M.D., P.A. (Civil) <b>Decision:</b> No error as to trial. Affirmed as to defendant's motion for JNOV and plaintiff's motion for costs	Columbus	Tyson
01-1524-1	In Re: Faircloth (Civil) <b>Decision:</b> Affirmed	Cumberland	Thomas, Jr.
01-1562-1	State v McConico (Criminal) <b>Decision:</b> No error	Cumberland	Hunter
02-130-1	Hartwell v Mahan (Civil) <b>Decision:</b> Reversed and remanded	Davidson	Tyson
01-1565-1	State v Stukes (Criminal) <b>Decision:</b> Affirmed	Duplin	Tyson
01-1372-1	Erie Ins. v St. Stephen's Episcopal (Civil) <b>Decision:</b> Reversed and remanded	Durham	McGee
01-1402-1	State v Sexton (Criminal) <b>Decision:</b> No error	Gaston	Thomas, Jr.
01-418-1	Jordan v Civil Svc Bd for Charlotte (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Timmons-Goodson
01-1171-1	Gaynoe v First Union Direct Bank (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Walker

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01-943-1	State v Keitt (Criminal) <b>Decision:</b> New trial	Montgomery	Hudson
01-1476-1	Priest v Sobek (Civil) <b>Decision:</b> Dismissed	Moore	Wynn, Jr.
01-1342-1	Hatcher v Daniel International Corp. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Martin
02-181-1	Gordon v Durham (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
02-165-1	Hedgepeth v NC Division of Blind Svcs. (Civil) <b>Decision:</b> Affirmed	Nash	Tyson
01-1549-1	Whitacre Partnership v Biosignia, Inc. (Civil) <b>Decision:</b> Reversed and remanded	Orange	Tyson
01-1593-1	Price v Beck (Civil) <b>Decision:</b> Affirmed	Pasquotank	Greene
01-1449-1	State v Strickland (Criminal) <b>Decision:</b> No error	Robeson	Eagles, Jr.
01-1532-1	State v Carter (Criminal) <b>Decision:</b> No error	Rockingham	Greene
01-1597-1	State v Motley (Criminal) <b>Decision:</b> No error	Rowan	McCullough
01-1227-1	State v O'Hanlan (Criminal) <b>Decision:</b> No error	Swain	McCullough
01-1459-1	State v Howie (Criminal) <b>Decision:</b> No error	Union	Tyson
01-612-1	Kea v NC Department of Human Resources (Civil) <b>Decision:</b> Reversed and remanded	Wake	Campbell, Jr.
01-1274-1	Re: Appeal of Historic Oakwood & Jones (Civil) <b>Decision:</b> Reversed	Wake	Thomas, Jr.
01-1424-1	Barker v NC State Board of Elections (Civil) <b>Decision:</b> Affirmed	Wake	Greene
01-1457-1	Dockery v Hocutt (Civil) <b>Decision:</b> Affirmed	Wake	Wynn, Jr.
01-1526-1	Affordable Care v NC Bd of Dental Exam (Civil) <b>Decision:</b> Affirmed	Wake	Martin
01-1566-1	Whitmire v Cooper (Civil) <b>Decision:</b> Affirmed	Wake	Greene

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01-1315-1	Williams v McDowell (Civil) <b>Decision:</b> Dismissed	Bladen 00CVS165	Bryant
02-123-1	State v Hill (Criminal) <b>Decision:</b> No error	Buncombe 01CRS3483,01CRS52602	McGee
02-467-1	State v McAfee (Criminal) <b>Decision:</b> Dismissed	Buncombe 00CRS63106,00CRS63103,- 00CRS63105	Eagles, Jr.
02-419-1	State v Robinson (Criminal) <b>Decision:</b> No error	Caldwell 95CRS7854,95CRS7854,95- CRS7853	Eagles, Jr.
01-1523-1	State v Esquivel (Criminal) <b>Decision:</b> No error in part, Remanded in part for a new sentencing hearing	Caswell 00CRS1855,00CRS1392,00- CRS1393	Wynn, Jr.
01-1609-1	Mize v Mize (Civil) <b>Decision:</b> Affirmed	Catawba 98CVD1056	Eagles, Jr.
01-1605-1	Johnson v Wilder (Civil) <b>Decision:</b> Affirmed	Cherokee 00CVS67	Walker
02-359-1	State v McCluney (Criminal) <b>Decision:</b> New trial	Cleveland 01CRS51764	Eagles, Jr.
02-576-1	State v Doswell (Criminal) <b>Decision:</b> No error	Cumberland 00CRS57976	Hudson
01-1493-1	Council v Slack (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Durham 01CVS3619	Walker
02-141-1	State v Fisher (Criminal) <b>Decision:</b> No error	Forsyth 00CRS12498,99CRS54130	Hudson
02-402-1	State v Jones (Criminal) <b>Decision:</b> Judgment vacated; remanded for new trial	Forsyth 00CRS58997	Hudson
02-417-1	State v Smith (Criminal) <b>Decision:</b> Reversed and judgment vacated	Forsyth 99CRS37782,99CRS41663	Hudson
02-160-1	Franco-Favela v Wester (Civil) <b>Decision:</b> Affirmed	Franklin 99CVD605	Tyson
01-1405-1	State v Johnson (Criminal) <b>Decision:</b> No error	Gaston 00CRS58387,00CRS16904,- 00CRS58389,00CRS58386,- 00CRS58392	Eagles, Jr.

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02-442-1	State v Locklear (Criminal) <b>Decision:</b> No error	Harnett 98CRS14102	Eagles, Jr.
02-289-1	State v Sanchez (Criminal) <b>Decision:</b> No error	Henderson 00CRS55095,00CRS4416,0-0CRS4417	Eagles, Jr.
02-432-1	Iredell County o/b/o Campbell v Clement (Civil) <b>Decision:</b> Reversed and remanded	Iredell 98CVD1171	Hudson
02-563-1	Southern States Cooperative v Cole (Civil) <b>Decision:</b> Dismissed	Jackson 00CVD467	Hudson
02-60-1	State v Dammons (Criminal) <b>Decision:</b> No error	Lee 00CRS52705,00CRS3752,0-0CRS52817,00CRS52704	Tyson
01-1211-1	Pickard v Pickard (Civil) <b>Decision:</b> Affirmed	Mecklenburg 99CVD17562	McCullough
02-64-1	Claiborne v Koons (Civil) <b>Decision:</b> Appeals dismissed	Mecklenburg 00CVS20023	McCullough
01-1458-1	Brown v High Point Regional Hospital (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC472648	Walker
02-580-1	Williams v Sara Lee Corporation (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC675222	Eagles, Jr.
01-1066-1	In Re: Whitley (Civil) <b>Decision:</b> Affirmed	Nash 00J109,00J110	Hudson
01-1552-1	State v Jones (Criminal) <b>Decision:</b> No error	New Hanover 01CRS50029	Wynn, Jr.
02-339-1	State v West (Criminal) <b>Decision:</b> No error	Onslow 00CRS54908,00CRS53819,-00CRS53823	Eagles, Jr.
02-206-1	State ex rel. Dinger v Dinger (Civil) <b>Decision:</b> Affirmed	Pasquotank 92CVD289	Hudson
02-578-1	State v Johnson (Criminal) <b>Decision:</b> No error as to judgment for possession with intent to sell and deliver cocaine. Vacated as to judgment for maintaining a dwelling for keeping and selling controlled substances and remanded for resentencing	Pasquotank 01CRS51440	Hudson
02-211-1	Cross v Hines (Civil) <b>Decision:</b> New trial	Pitt 00CVS1402	Martin
02-695-1	State v Barnes (Criminal) <b>Decision:</b> Vacated	Pitt 00CRS12704	Eagles, Jr.

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01-1537-1	State v Hendrix (Criminal) <b>Decision:</b> No error	Randolph 99CRS3742	McGee
01-1564-1	Webb v Webb (Civil) <b>Decision:</b> Reversed and remanded	Rockingham 99CVD697	Bryant
02-360-1	In the Matter of: Lacey (Civil) <b>Decision:</b> Affirmed	Rowan 87J85,88J62	Hudson
02-274-1	Williamson v Williamson (Civil) <b>Decision:</b> Affirmed	Vance 96CVD324	Hudson
01-1446-1	Provenzano v Provenzano (Civil) <b>Decision:</b> Affirmed	Wake 00CVD6336	Hunter
01-1489-1	In the Matter of: Austin (Criminal) <b>Decision:</b> Affirmed	Wake 99J500	McGee
01-1596-1	Viera v Viera (Civil) <b>Decision:</b> Affirmed in part; vacated and remanded in part	Wake 00CVD11702	Hunter
02-119-1	State v Robinson (Criminal) <b>Decision:</b> No error	Wake 00CRS16268,00CRS16269	Wynn, Jr.
02-261-1	State v Perry (Criminal) <b>Decision:</b> No error	Wilson 99CRS55069,99CRS55074	Eagles, Jr.