

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 18 MARCH 2003)
(MANDATE 7 APRIL 2003)

| Docket # | Title | County | Judge |
|----------|---|-----------|-----------------|
| 02-520-1 | State v Hensley (Criminal) Decision: Affirmed | Buncombe | Calabria |
| 02-542-1 | MRI/Sales Consultants v Edwards Publ'ns (Civil) Decision: Affirmed | Buncombe | Timmons-Goodson |
| 02-634-1 | Freeman v Pacific Life Insurance Co. (Civil) Decision: Affirmed | Buncombe | Tyson |
| 02-809-1 | State v Payne (Criminal) Decision: No error | Buncombe | Bryant |
| 02-492-1 | In the Matter of: Harton & Adams (Civil) Decision: Vacated and remanded | Burke | Bryant |
| 02-705-1 | Progressive Lighting v Historic Designs (Civil) Decision: Appeal dismissed | Cabarrus | Martin |
| 02-494-1 | State v Moore (Criminal) Decision: Dismissed | Carteret | Wynn, Jr. |
| 02-540-1 | Loy v Martin (Civil) Decision: Affirmed | Chatham | Hunter |
| 02-666-1 | Lancaster v Maple Street Homeowners (Civil) Decision: Affirmed in part, reversed in part and remanded for a new trial | Columbus | Tyson |
| 02-740-1 | United Services Auto. Assoc. v Rhodes (Civil) Decision: Affirmed | Dare | Bryant |
| 01-838-1 | In Re: Foreclosure of Brown (Civil) Decision: Affirmed | Durham | Elmore |
| 02-36-1 | Ivarsson v Indigent Defense Services (Civil) Decision: Affirmed | Durham | Eagles, Jr. |
| 02-592-1 | State v Blakney (Criminal) Decision: Vacated in part and remanded for resentencing | Forsyth | Bryant |
| 02-620-1 | State v Morgan (Criminal) Decision: No error | Forsyth | Tyson |
| 02-405-1 | Franck v P'ng (Civil) Decision: Appeal dismissed | Granville | Martin |
| 02-538-1 | Lea v Grier (Civil) Decision: Affirmed in part, reversed in part and remanded | Guilford | Wynn, Jr. |

| Docket # | Title | County | Judge |
|-----------|--|----------------------------|-----------------|
| 02-555-1 | Regional Accept. v Old Republic Surety (Civil) Decision: Affirmed | Guilford | Tyson |
| 01-1516-1 | State v Williams (Criminal) Decision: New trial | Henderson | Timmons-Goodson |
| 02-934-1 | In the Matter of: Estate of Lowe (Civil) Decision: No error | Hyde | Tyson |
| 02-640-1 | In the Matter of: Laney (Civil) Decision: Appeal dismissed | Iredell | McGee |
| 02-668-1 | Brotherton v Point on Norman, LLC (Civil) Decision: Reversed and remanded | Iredell | Tyson |
| 02-443-1 | Ussery v Taylor (Civil) Decision: Reversed and remanded | Mecklenburg | Timmons-Goodson |
| 02-394-1 | Norton v SMC Building, Inc. (Civil) Decision: Affirmed | Montgomery | Martin |
| 02-342-1 | Terry v PPG Industries, Inc. (Civil) Decision: Affirmed | N.C. Industrial Commission | Eagles, Jr. |
| 02-412-1 | Cialino v Wal-Mart Stores (Civil) Decision: Affirmed in part & remanded | N.C. Industrial Commission | Wynn, Jr. |
| 02-24-1 | State v Carter (Criminal) Decision: No error | New Hanover | Martin |
| 02-449-1 | State v Shepherd (Criminal) Decision: No error | New Hanover | Hunter |
| 02-500-1 | State v Bartley (Criminal) Decision: No error in part; remanded in part for resentencing | New Hanover | McGee |
| 02-518-1 | In the Matter of: Humphrey (Civil) Decision: Affirmed | New Hanover | McGee |
| 02-669-1 | Pass v Beck (Civil) Decision: Affirmed | New Hanover | Calabria |
| 02-505-1 | Spencer v Albemarle Hospital (Civil) Decision: Reversed | Pasquotank | Timmons-Goodson |
| 02-481-1 | In the Matter of: Padgett (Civil) Decision: Affirmed | Pender | Bryant |
| 02-731-1 | IWTMM, Inc. v Forest Hills Rest Home (Civil) Decision: Reversed and remanded | Vance | Bryant |
| 02-257-1 | Doan v Doan (Civil) Decision: Affirmed in part; reversed in part and remanded | Wake | Martin |
| 02-262-1 | Woodburn v NC State University (Civil) Decision: Affirmed | Wake | Levinson |

| Docket # | Title | County | Judge |
|----------|--|--------|----------|
| 02-352-1 | Whitehurst v Hurst Built, Inc. (Civil) Decision: Affirmed | Wake | Geer |
| 02-743-1 | Beall v Beall (Civil) Decision: Reversed in part, remanded in part | Wake | Levinson |
| 02-889-1 | Wilson v Hawley (Civil) Decision: No error | Wilson | Tyson |

**IN THE
COURT OF APPEALS**

CASES REPORTED WITHOUT PUBLISHED OPINIONS

**(FILED 18 MARCH 2003)
(MANDATE 7 APRIL 2003)**

| Docket # | Title | County | Judge |
|----------|--|--|-----------------|
| 02-792-1 | State v Newsome (Criminal) Decision: No error | Alamance 01CRS8894 01CRS8895 | Bryant |
| 02-718-1 | Ward v Howard (Civil) Decision: Vacated and remanded | Buncombe 01CVS4233 | McCullough |
| 02-864-1 | State v Tomlin (Criminal) Decision: No error | Chowan 01CRS353 | Bryant |
| 02-983-1 | State v Swezey (Criminal) Decision: Dismissed | Clay 01CRS878 01CRS50153 | Bryant |
| 02-121-1 | State v Covington (Criminal) Decision: No error | Durham 00CRS65484 00CRS65482 00CRS65485 00CRS65483 01CRS7945 | Timmons-Goodson |
| 02-687-1 | State v Samuels (Criminal) Decision: No error | Forsyth 01CRS29190 01CRS56835 | Hunter |
| 02-140-1 | State v Gordon (Criminal) Decision: No error | Gaston 01CRS11115 98CRS5414 98CRS5415 | McCullough |
| 02-991-1 | State v Lipscomb (Criminal) Decision: Affirmed | Gaston 99CRS35710 99CRS35708 | Hunter |
| 02-281-1 | State v Forsythe and Lane (Criminal) Decision: No error | Greene 00CRS50561 00CRS50564 00CRS50559 00CRS50562 00CRS50560 00CRS50563 | Timmons-Goodson |
| 02-565-1 | State v Cox (Criminal) Decision: No error | Guilford 99CRS106802 | Tyson |
| 02-828-1 | In the Matter of: Fitzgerald (Criminal) Decision: Affirmed | Guilford 00J902 | Steelman |
| 02-957-1 | State v Little (Criminal) Decision: No error | Guilford 00CRS80777 | Bryant |
| 02-984-1 | State v Batten (Criminal) Decision: No error | Guilford 99CRS111144 | Bryant |
| 02-952-1 | State v Barnes (Criminal) Decision: Affirmed | Harnett 99CRS15693 | Bryant |
| 02-503-1 | State v Miller (Criminal) | Henderson 98CRS24496 98CRS24471 98CRS24479 98CRS3982 98CRS24477 98CRS24482 98CRS24480 98CRS24478 | Levinson |

| Docket # | Title | County | Judge |
|-----------|--|---|-----------------|
| | Decision: Affirmed | | |
| 02-801-1 | State v Peak (Criminal) | Henderson 01CRS3272 01CRS2972 01CRS3273 01CRS2973 | Bryant |
| | Decision: No error | | |
| 02-77-1 | Century 21 Heritage v Leach (Civil) | Johnston 99CVS226 | Eagles, Jr. |
| | Decision: Affirmed | | |
| 02-645-1 | In Re: Garner (Civil) | Johnston 01J38 01J39 01J39 01J38 | Steelman |
| | Decision: Affirmed | | |
| 02-1022-1 | State v Jenkins (Criminal) | Mecklenburg 00CRS155086 00CRS155088 | Hunter |
| | Decision: No error; remanded for correction of judgment | | |
| 02-306-1 | Harrison v Bear Grass Logging Corp. (Civil) | N.C. Industrial Commission IC977819 | Tyson |
| | Decision: Affirmed | | |
| 02-458-1 | Absher v Thomas Built Buses, Inc. (Civil) | N.C. Industrial Commission IC870745 | Levinson |
| | Decision: Affirmed in part, reversed and remanded in part | | |
| 02-548-1 | Benton v Sutherland Precision Framing (Civil) | N.C. Industrial Commission IC025841 | Steelman |
| | Decision: Affirmed | | |
| 02-681-1 | McKinnon v L&S Holding Co. (Civil) | N.C. Industrial Commission IC901411 | Tyson |
| | Decision: Affirmed | | |
| 02-216-1 | Wilson v Ventriglia (Civil) | New Hanover 00CVD3554 | Elmore |
| | Decision: Appeal dismissed | | |
| 02-621-1 | In the Matter of: Carter (Civil) | New Hanover 99J153 99J154 | Hunter |
| | Decision: Affirmed | | |
| 02-1016-1 | State v Brooks (Criminal) | Northampton 00CRS694 00CRS695 | Hunter |
| | Decision: No error | | |
| 02-821-1 | State v Mullen (Criminal) | Pasquotank 00CRS1325 | Hunter |
| | Decision: No error | | |
| 02-495-1 | State v Pyle (Criminal) | Pitt 00CRS58229 00CRS58227 00CRS58228 | Timmons-Goodson |
| | Decision: No error | | |
| 02-551-1 | Hinchman v Hinchman (Civil) | Pitt 01CVD198 | Wynn, Jr. |
| | Decision: Affirmed | | |
| 02-114-1 | State v Stanback (Criminal) | Randolph 97CRS16050 98CRS8319 | Eagles, Jr. |
| | Decision: No error | | |
| 02-726-1 | Bridgers v Bridgers (Civil) | Robeson 01CVS4360 | Martin |

| Docket # | Title | County | Judge |
|-----------|--|--|-----------------|
| | Decision: Affirmed | | |
| 01-1598-1 | State v Ruben (Criminal) | Rowan 99CRS963 99CRS961 99CRS962 | Timmons-Goodson |
| | Decision: No error | | |
| 02-564-1 | Rufty v Rufty (Civil) | Rowan 97CVD2095 | Hunter |
| | Decision: Vacated and remanded | | |
| 02-892-1 | State v Matthews (Criminal) | Sampson 01CRS51865 01CRS50992 01CRS51864 | Bryant |
| | Decision: No error, remanded for correction of clerical error in the judgment | | |
| 02-446-1 | Builder Mart of America v First Union (Civil) | Stanly 99CVS913 | McGee |
| | Decision: Affirmed | | |
| 02-1125-1 | State v Winchester (Criminal) | Union 01CRS15130 01CRS54402 | Hunter |
| | Decision: No error | | |
| 02-866-1 | State v Walker (Criminal) | Wake 98CRS102414 98CRS102406 99CRS64575 98CRS107818 99CRS64575 98CRS107818 98CRS102414 98CRS102406 | Hunter |
| | Decision: No error | | |
| 02-871-1 | State v Fortune (Criminal) | Wake 94CRS26524 94CRS26525 | Bryant |
| | Decision: No error | | |
| 02-1059-1 | State v Peterson (Criminal) | Wake 00CRS70934 | Hunter |
| | Decision: No error | | |
| 02-1061-1 | Reimann v Research Triangle Institute (Civil) | Wake 01CVS2791 | Per Curiam |
| | Decision: Appeal dismissed | | |
| 02-926-1 | State v Johnston (Criminal) | Wilkes 01CRS51470 01CRS51468 01CRS51471 01CRS51469 | Hunter |
| | Decision: No error | | |