IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 6 MAY 2003)
(MANDATE 27 MAY 2003)

Docket #	Title	County	Judge
02-411-1	State v Jones (Criminal) **Decision:** New trial in part; vacated in part	Buncombe	Elmore
02-521-1	Gifford v Linnell (Civil) **Decision:** Reversed	Carteret	Hunter
02-231-1	Pacheco v Rogers and Breece, Inc. (Civil) **Decision:** Affirmed	Cumberland	Levinson
02-397-1	Pennsylvania Nat'l v Assoc. Scaffolders (Civil) **Decision:** Affirmed	Durham	Elmore
02-819-1	Walden v Vaughn (Civil) **Decision:** Affirmed	Forsyth	Steelman
02-659-1	Analog Devices v Michalski (Civil) **Decision:** Affirmed	Guilford	Calabria
02-958-1	State v McCracken (Criminal) **Decision:** No error	Haywood	Bryant
02-798-1	State v Smith (Criminal) **Decision:** No prejudicial error	Henderson	Wynn, Jr.
02-936-1	Eakett v Eakett (Civil) **Decision:** Affirmed in part, reversed in part	Henderson	Eagles, Jr.
02-264-1	Kogut v Rosenfeld (Civil) **Decision:** Reversed	Iredell	Wynn, Jr.
02-971-1	In Re: Estes (Juvenile - 3.1) **Decision:** Reversed and remanded	Iredell	Timmons-Goodson
02-750-1	State v Nance (Criminal) **Decision:** No error	Mecklenburg	Martin
02-942-1	Hunter-McDonald v Edison Foard (Civil) **Decision:** Reversed	Mecklenburg	Calabria
02-1289-1	State v Partridge (Criminal) **Decision:** Vacated and remanded for imposition of judgment and sentencing on Class 3 misdemeanor possession of marijuana.	Mecklenburg	Bryant
02-470-1	Taylor v Bridgestone/Firestone (Civil) **Decision:** Vacated and remanded	N.C. Industrial Commission	Bryant
02-924-1	Cencomp v Webcon (Civil) **Decision:** Affirmed	Person	Calabria

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02-595-1	State v Latham (Criminal) **Decision:** No error	Pitt	Hunter
02-599-1	Leary v NC Forest Products, Inc. (Civil) **Decision:** Affirmed	Pitt	Geer
02-797-1	State v McCollum (Criminal) **Decision:** No error	Robeson	Tyson
02-474-1	Lombardi v Lombardi (Civil) **Decision:** Affirmed	Rowan	Hudson
02-484-1	State v Batchelor (Criminal) **Decision:** No prejudicial error	Wake	Hunter
02-508-1	Scott v Scott (Civil) **Decision:** Affirmed in part, reversed in part, and remanded	Wake	Levinson
02-759-1	Watkins v NC Board of Dental Examiners (Civil) **Decision:** Affirmed	Wake	Bryant
02-770-1	State v Washington (Criminal) **Decision:** No error	Wake	Tyson
02-872-1	Castle Worldwide v Southtrust Bank (Civil) **Decision:** Reversed	Wake	McCullough
02-995-1	State v Fowler (Criminal) **Decision:** No error	Wake	Martin
02-1100-1	CB&I Constructors v Wake Forest (Civil) **Decision:** Vacated in part,dismissed in part,and remanded in part	Wake	Calabria

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Docket #	Title	County	Judge
02-463-1	In the Matter of: Will of Carlsen (Civil)	Alamance 99E988,00CVS665	Eagles, Jr.
	Decision: Reversed and remanded		
02-569-1	State v Pezzuto (Criminal)	Brunswick 00CRS56300	Calabria
	Decision: New trial		
02-879-1	Dzierzynski v Dzierzynski (Civil)	Buncombe 99CVD1842	McGee
	Decision: Affirmed		
02-1126-1	State v Hackler (Criminal)	Buncombe 01CRS58200,01CRS6383	Martin
	Decision: Felonious Larceny: Vacated. Felonious Breaking or Entering: No error; remanded for resentencing.		
02-482-1	In the Matter of: Hopkins (Juvenile - 3.1)	Burke 98J51	Hunter
	Decision: Vacated and remanded		
02-854-1	State v McMillian (Criminal)	Cabarrus 00CRS10445,00CRS10443,- 00CRS10444	McGee
	Decision: No error		
02-624-1	State v Jones (Criminal)	Caldwell 99CRS6316,99CRS6636	Calabria
	Decision: No error		
02-992-1	In the Matter of: Richardson (Criminal)	Caswell 01J40	McCullough
	Decision: Affirmed in part; and vacated in part		
02-489-1	State v Blackburn (Criminal)	Catawba 01CRS2060,01CRS2061	Levinson
	Decision: No error		
02-525-1	Henderson v Henderson (Civil)	Catawba 98CVD2297	McGee
	Decision: Affirmed in part; reversed in part; and remanded in part for additional findings of fact		
02-1090-1	Hubbard Telephone v Michigan Mut. Ins. (Civil)	Cherokee 99CVS96	McCullough
	Decision: Affirmed		
02-811-1	State v Deal (Criminal)	Cumberland 00CRS62146	Steelman
	Decision: No error		
02-1098-1	State v Gardner (Criminal)	Davidson 01CRS6132	Martin
	Decision: Dismissed		
02-1189-1	In the Matter of: Davis (Juvenile - 3.1)	Davidson 01J68	McCullough
	Decision: Affirmed		
02-749-1	Jenkins v Uchebo (Civil)	Durham 01CVD3983	Hunter
	Decision: Affirmed		
02-852-1	State v Philpott (Criminal)	Edgecombe 01CRS6605	Bryant
	Decision: No error		

Docket #	Title	County	Judge
02-1286-1	State v Wooten (Criminal)	Edgecombe 00CRS7410	Martin
	Decision:		
02-530-1	Kaplan Companies v Stiles Machinery (Civil)	Forsyth 01CVS3447	Calabria
	Decision: Affirmed		
02-927-1	State v O'Neil (Criminal)	Forsyth 02CRS50745,02CRS50743,- 02CRS50744	Elmore
	Decision: Remand for correction of clerical error		
02-970-1	State v Sprinkle (Criminal)	Forsyth 00CRS58218,00CRS58218,- 00CRS58217	Bryant
	Decision: No error		
02-1084-1	State v Johnson (Criminal)	Forsyth 01CRS29181,01CRS55926	Martin
	Decision: No error		
02-1211-1	State v Davidson (Criminal)	Forsyth 01CRS39122,01CRS60865	Martin
	Decision: No error		
02-844-1	State v Watts (Criminal)	Gaston 01CRS7797	Martin
	Decision: No error		
02-914-1	State v Burts (Criminal)	Gaston 01CRS19554,01CRS61796	Bryant
	Decision: No error		
02-558-1	State v Haith (Criminal)	Guilford 01CRS81347,01CRS81341,- 01CRS81345	Elmore
	Decision: No error		
02-923-1	Shaw v PricewaterhouseCoopers (Civil)	Guilford 02CVS4632	Bryant
	Decision: Affirmed		
02-1118-1	State v Moser (Criminal)	Guilford 01CRS92977,01CRS23826	McCullough
	Decision: No error		
02-1175-1	Guilford County ex rel. Cobb v Anthony (Civil)	Guilford 89CVD989	Martin
	Decision: Reversed		
02-1334-1	State v Williams (Criminal)	Halifax 97CRS3533	Martin
	Decision: No error		
02-236-1	State v Barnes (Criminal)	Harnett 99CRS15492,00CRS10990	Timmons-Goodson
	Decision: No error		
02-810-1	State v Groenewold (Criminal)	Haywood 01CRS1293	Steelman
	Decision: No prejudicial error		
02-1190-1	State v Ginn (Criminal)	Haywood 02CRS244,02CRS245	Elmore
	Decision: No error		

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02-886-1	State v Fox (Criminal)	Henderson 00CRS55107	Bryant
	Decision: No error		
02-1204-1	State v Gilliam (Criminal)	Hertford 00CRS50027	McCullough
	Decision: No error		
02-885-1	State v Benefield (Criminal)	Jones 01CRS1111,00CRS50515,01-CRS1110	Bryant
	Decision: Affirmed		
02-974-1	Bystry v Nemet (Civil)	Lee 00CVD1072	Bryant
	Decision: Affirmed		
02-1108-1	In the Matter of: Hilton (Criminal)	Lee 01J80	McCullough
	Decision: Appeal dismissed		
02-386-1	State v Parker and Boone (Criminal)	Martin 00CRS999	Martin
	Decision: No error		
02-553-1	State v Caldwell (Criminal)	Mecklenburg 98CRS51470	Bryant
	Decision: No error in Guilt/Innocence Phase. Remanded for resentencing		
02-874-1	State v Evans (Criminal)	Mecklenburg 00CRS49225,00CRS162332	Bryant
	Decision: No error		
02-1173-1	State v Gonzales (Criminal)	Mecklenburg 01CRS9677,01CRS9675,01-CRS9678,01CRS9676	Elmore
	Decision: No error		
02-1247-1	State v McKinney (Criminal)	Mecklenburg 01CRS791,01CRS789,01CRS790	Elmore
	Decision: No error		
02-223-1	Moore v Lexington (Civil)	N.C. Industrial Commission IC816522	McCullough
	Decision: Reversed and remanded		
02-629-1	Phillips v Herr Construction Company (Civil)	N.C. Industrial Commission IC921744	Elmore
	Decision: Affirmed		
02-805-1	Clark v Sanger Clinic, P.A. (Civil)	N.C. Industrial Commission IC333197	Tyson
	Decision: Affirmed		
02-832-1	Fox v Wal-Mart Stores, Inc. (Civil)	N.C. Industrial Commission IC049692	Wynn, Jr.
	Decision: Affirmed		
02-836-1	Trantham v Volvo Construction Equipment (Civil)	N.C. Industrial Commission IC918613	Tyson
	Decision: Appeal dismissed		
02-1019-1	State v Davis (Criminal)	New Hanover 01CRS57454,01CRS52468	Elmore
	Decision: Affirmed in part, vacated in part		

Docket #	Title	County	Judge
02-1006-1	State v Newkirk (Criminal)	Onslow 01CRS55500	Bryant
	Decision: Affirmed		
02-502-1	Olkowski v Cartwright (Civil)	Pasquotank 00CVS476	Steelman
	Decision: Affirmed		
02-251-1	State v Callicutt (Criminal)	Randolph 99CRS4122	Bryant
	Decision: Affirmed		
02-949-1	State v Goodwin (Criminal)	Richmond 01CRS53031	Elmore
	Decision: No error		
02-1212-1	In Re: Oxendine (Juvenile - 3.1)	Robeson 00J29	McCullough
	Decision: Affirmed		
02-1501-1	State v Scales (Criminal)	Rockingham 02CRS50149,02CRS759,02-CRS2158,01CRS51537,02C-RS50193,02CRS1648,02CR-S50148,01CRS51538,02CR-S50197,02CRS2157	McCullough
	Decision: Remanded for entry of a correction of clerical error; in all other respects, no error		
02-1017-1	State v Lewis (Criminal)	Rowan 00CRS5308,00CRS9716,00-CRS9717	Levinson
	Decision: No error		
02-719-1	State v McDonald (Criminal)	Union 01CRS4088,01CRS4086,01-CRS4087	Steelman
	Decision: No prejudicial error		
02-363-1	Driver v Bagley (Civil)	Wake 99CVS6431	McGee
	Decision: Reversed		
02-403-1	Smith & Sons Paving Company v NC DOT (Civil)	Wake 01CVS3264	Eagles, Jr.
	Decision: Affirmed		
02-751-1	State v Harris (Criminal)	Wake 01CRS13152	Elmore
	Decision: No error		
02-1052-1	State v Muhammad (Criminal)	Wake 01CRS113031	McCullough
	Decision: No error		
02-862-1	State v Trujillo (Criminal)	Wayne 01CRS50854	Bryant
	Decision: No error		
02-888-1	State v Rouse (Criminal)	Wayne 00CRS52024	Elmore
	Decision: No error		
02-1010-1	State v Raiford (Criminal)	Wayne 01CRS53605	Martin
	Decision: No error		

Docket #	Title	County	Judge
02-1291-1	State v Armistead (Criminal)	Yadkin 99CRS3163,99CRS2524,99-CRS3164,99CRS3162	Bryant

Decision: Affirmed