

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

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

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

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| 02-1006-1 | State v Newkirk (Criminal) Decision: Affirmed | Onslow 01CRS55500 | Bryant |
| 02-502-1 | Olkowski v Cartwright (Civil) Decision: Affirmed | Pasquotank 00CVS476 | Steelman |
| 02-251-1 | State v Callicutt (Criminal) Decision: Affirmed | Randolph 99CRS4122 | Bryant |
| 02-949-1 | State v Goodwin (Criminal) Decision: No error | Richmond 01CRS53031 | Elmore |
| 02-1212-1 | In Re: Oxendine (Juvenile - 3.1) Decision: Affirmed | Robeson 00J29 | McCullough |
| 02-1501-1 | State v Scales (Criminal) Decision: Remanded for entry of a correction of clerical error; in all other respects, no error | Rockingham 02CRS50149 02CRS759 02CRS2158 01CRS51537 02CRS50193 02CRS1648 02CRS50148 01CRS51538 02CRS50197 02CRS2157 | McCullough |
| 02-1017-1 | State v Lewis (Criminal) Decision: No error | Rowan 00CRS5308 00CRS9716 00CRS9717 | Levinson |
| 02-719-1 | State v McDonald (Criminal) Decision: No prejudicial error | Union 01CRS4088 01CRS4086 01CRS4087 | Steelman |
| 02-363-1 | Driver v Bagley (Civil) Decision: Reversed | Wake 99CVS6431 | McGee |
| 02-403-1 | Smith & Sons Paving Company v NC DOT (Civil) Decision: Affirmed | Wake 01CVS3264 | Eagles, Jr. |
| 02-751-1 | State v Harris (Criminal) Decision: No error | Wake 01CRS13152 | Elmore |
| 02-1052-1 | State v Muhammad (Criminal) Decision: No error | Wake 01CRS113031 | McCullough |
| 02-862-1 | State v Trujillo (Criminal) Decision: No error | Wayne 01CRS50854 | Bryant |
| 02-888-1 | State v Rouse (Criminal) Decision: No error | Wayne 00CRS52024 | Elmore |
| 02-1010-1 | State v Raiford (Criminal) Decision: No error | Wayne 01CRS53605 | Martin |

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| 02-1291-1 | State v Armistead (Criminal) | Yadkin 99CRS3163 99CRS2524 99CRS3164 99CRS3162 | Bryant |
| | Decision: Affirmed | | |