

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 15 JULY 2003)**  
**(MANDATE 4 AUGUST 2003)**

Docket #	Title	County	Judge
02-1356-1	State v Perry (Criminal) <b>Decision:</b> No error	Buncombe	Tyson
02-1038-1	Tucker v Kannapolis (Civil) <b>Decision:</b> Affirmed	Cabarrus	Geer
02-998-1	Red Hill Hosiery Mill v Magnetek (Civil) <b>Decision:</b> No error	Catawba	McCullough
02-1245-1	Goldston v Goldston (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Columbus	Timmons-Goodson
02-1224-1	State v Owen (Criminal) <b>Decision:</b> Affirmed	Cumberland	Calabria
02-630-1	Old Salem Foreign Car Svc. v Webb (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded.	Forsyth	Timmons-Goodson
02-1313-1	State v Bellamy (Criminal) <b>Decision:</b> No error	Gaston	Bryant
02-1386-1	Jefferson Pilot Financial v Marsh USA (Civil) <b>Decision:</b> No error in trial; Judgment vacated and remanded with instructions	Guilford	Tyson
02-1484-1	Jefferson Pilot Financial v Marsh USA (Civil) <b>Decision:</b> No error in trial; Judgment vacated and remanded with instructions	Guilford	Tyson
02-448-1	State v Ezell (Criminal) <b>Decision:</b> Reversed and remanded	Hertford	Hudson
02-279-1	Embler v Embler (Civil) <b>Decision:</b> Reversed in part and remanded	Iredell	Geer
02-1489-1	State v Maddox (Criminal) <b>Decision:</b> 00CRS56703: No error. 01CRS1087-90: Reversed and dismissed	Iredell	Bryant
02-1487-1	Middleton v Middleton (Civil) <b>Decision:</b> Affirmed	Jackson	Steelman
02-543-1	Dodson v Dubose Steel, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Hudson
02-842-1	Hunt v North Carolina State University (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Steelman
02-1138-1	Smith v Housing Authority of Asheville (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Calabria

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02-1290-1	Smith v Whitmer (Civil) <b>Decision:</b> Affirmed	Nash	Timmons-Goodson
02-877-1	Jaeger v Applied Analytical Industries (Civil) <b>Decision:</b> Affirmed	New Hanover	McGee
02-1260-1	State v Bell (Criminal) <b>Decision:</b> No error	New Hanover	Tyson
02-323-1	State v Bowes (Criminal) <b>Decision:</b> Affirmed	Pitt	Hudson
02-831-1	Re: Appeal of Human Goodness & Creative (Civil) <b>Decision:</b> Affirmed	Property Tax Commission	McGee
02-568-1	Warnock v CSX Transportation, Inc. (Civil) <b>Decision:</b> No error	Richmond	Timmons-Goodson
02-918-1	State v McArn (Criminal) <b>Decision:</b> Reversed and remanded for a new trial	Robeson	Timmons-Goodson
02-1335-1	In Re: Clark (Juvenile - 3.1) <b>Decision:</b> Affirmed	Stokes	Bryant
02-94-1	Capital Outdoor, Inc. v Tolson (Civil) <b>Decision:</b> Affirmed	Wake	Geer
02-635-1	Albemarle Mental Health Ctr. v NC DHHS (Civil) <b>Decision:</b> Affirmed	Wake	Timmons-Goodson
02-859-1	Park v Merrill, Lynch, Pierce, Fenner (Civil) <b>Decision:</b> Reversed and remanded	Wake	Steelman
02-969-1	Downs v State of North Carolina (Civil) <b>Decision:</b> Reversed and remanded	Wake	McGee
02-1158-1	State v May (Criminal) <b>Decision:</b> No error	Wake	Calabria

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02-1666-1	State v Summers (Criminal) <b>Decision:</b> Affirmed	Alamance 00CRS59333	Steelman
02-1322-1	In the Matter of: Hutchins (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 99J249	Timmons-Goodson
02-1092-1	Freeze v Freeze (Civil) <b>Decision:</b> Reversed and remanded	Cabarrus 99CVD1864	Hunter
02-895-1	State v Green (Criminal) <b>Decision:</b> No error	Craven 01CRS54862,00CRS3124,00- CRS53773	Geer
02-1537-1	State v Davis (Criminal) <b>Decision:</b> No error	Cumberland 00CRS16767,00CRS62696	Steelman
02-1608-1	State v Robinson (Criminal) <b>Decision:</b> Dismissed	Davidson 01CRS59792,01CRS59793	Steelman
02-1560-1	State v Wilder (Criminal) <b>Decision:</b> Remanded for resentencing	Durham 95CRS634	Steelman
02-1374-1	State v Phifer (Criminal) <b>Decision:</b> No error	Forsyth 01CRS59970	Steelman
02-1566-1	State v Surles (Criminal) <b>Decision:</b> No error	Forsyth 01CRS59492	Steelman
02-1572-1	State v Yates (Criminal) <b>Decision:</b> No error	Forsyth 01CRS55801	Steelman
03-44-1	Williamson v Andraos (Civil) <b>Decision:</b> Dismissed	Forsyth 01CVS6168	Steelman
02-1203-1	In Re: Doyle (Juvenile - 3.1) <b>Decision:</b> Affirmed	Gaston 99J98	Timmons-Goodson
02-1621-1	State v Mitchell (Criminal) <b>Decision:</b> No error	Gaston 01CRS56695	Steelman
02-1726-1	State v Torres (Criminal) <b>Decision:</b> No error	Gaston 01CRS56698	Steelman
02-1232-1	Streib v Hocutt (Civil) <b>Decision:</b> Affirmed	Granville 00CVS1385	Martin
02-475-1	Hennis v Cotten (Civil) <b>Decision:</b> Reversed and remanded	Guilford 01CVS10233	Levinson

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02-541-1	State v Kelly (Criminal) <b>Decision:</b> No prejudicial error	Guilford 98CRS19268	McCullough
02-727-1	Novak v High Point (Civil) <b>Decision:</b> Affirmed	Guilford 00CVS2434	Hunter
02-728-1	Novak v High Point (Civil) <b>Decision:</b> Remanded with instructions	Guilford 00CVS2435	Hunter
02-747-1	State v McKenzie (Criminal) <b>Decision:</b> Affirmed	Guilford 01CRS75516,01CRS23422,0-1CRS75515	Calabria
02-833-1	In the Matter of: MM (Criminal) <b>Decision:</b> Reversed	Guilford 01J880	Hudson
02-1216-1	Steadman v Steadman (Civil) <b>Decision:</b> Affirmed	Halifax 98CVD1275	McGee
02-1490-1	Holcomb v Jones (Civil) <b>Decision:</b> Vacated and remanded	Harnett 02CVD200	Steelman
02-955-1	State v McKisson (Criminal) <b>Decision:</b> No error	Henderson 01CRS52194,01CRS51941,0-1CRS51951,01CRS3688,01-CRS52372,01CRS51942,01-CRS51952,01CRS51918,01-CRS51950	McCullough
02-993-1	Sherrill Lumber Industries v Estes (Civil) <b>Decision:</b> Reversed and remanded	Iredell 01CVS2757	McGee
02-1244-1	In Re: Kale (Juvenile - 3.1) <b>Decision:</b> Affirmed	Iredell 97J6	Levinson
02-1625-1	State v James (Criminal) <b>Decision:</b> Vacated	Johnston 02CRS7944,01CRS53901,02-CRS7945,02CRS7943	Steelman
02-657-1	Bendross v Huntersville (Civil) <b>Decision:</b> Affirmed	Mecklenburg 00CVS18187	McGee
02-808-1	Merrick v Charlotte-Mecklenburg Hosp. (Civil) <b>Decision:</b> Affirmed	Mecklenburg 01CVS5244	Timmons-Goodson
02-1172-1	Jones v Wilson Stores (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC841838,IC851924	Timmons-Goodson
02-1385-1	Greer v Stanford Furniture Corp. (Civil) <b>Decision:</b> Appeal dismissed	N.C. Industrial Commission IC761124	Bryant
02-1207-1	State v Hughes (Criminal)	New Hanover 01CRS50136,01CRS50137	Steelman

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	<b>Decision:</b> No error		
02-1450-1	State v George (Criminal)	New Hanover 99CRS25062,99CRS25063	Steelman
	<b>Decision:</b> No error		
02-1333-1	Gardner v Gardner (Civil)	Orange 01CVD384	Per Curiam
	<b>Decision:</b> Affirmed		
02-1240-1	State v Jackson (Criminal)	Pasquotank 01CRS167,01CRS812,00CR- S50853,01CRS810,01CRS16- 6,01CRS811	Calabria
	<b>Decision:</b> No error		
02-825-1	Burns v Burns (Civil)	Rutherford 01CVD772	McGee
	<b>Decision:</b> Dismissed		
02-1226-1	State v Smith (Criminal)	Scotland 01CRS2317	Steelman
	<b>Decision:</b> No error		
02-1556-1	State v Strickland (Criminal)	Union 01CRS14073	Steelman
	<b>Decision:</b> Affirmed		
02-1128-1	Crowder v Crowder (Civil)	Vance 95CVD749	Calabria
	<b>Decision:</b> Affirmed		
02-256-1	State v Norfleet (Criminal)	Wake 96CRS97138,96CRS97136,9- 6CRS97139,96CRS97137	Eagles, Jr.
	<b>Decision:</b> No error		
02-537-1	State v Shaw (Criminal)	Wake 01CRS49248,00CRS87764,0- 1CRS49249,00CRS87765,01- CRS49250	Hunter
	<b>Decision:</b> No error		
02-1258-1	State v Powell (Criminal)	Wake 99CRS22096	Martin
	<b>Decision:</b> No error		
02-1365-1	State v Sessoms (Criminal)	Wake 01CRS75904,01CRS75905	Steelman
	<b>Decision:</b> Affirmed		
02-732-1	In the Matter of: Clayton (Juvenile - 3.1)	Wilkes 01J67	Bryant
	<b>Decision:</b> Affirmed		
02-1020-1	Hall v Staley (Civil)	Yancey 99SP5	Eagles, Jr.
	<b>Decision:</b> No error		