IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 5 AUGUST 2003)
(MANDATE 25 AUGUST 2003)

Docket #	Title	County	Judge
02-1023-1	State v Adams (Criminal) **Decision:** Affirmed	Brunswick	Hunter
02-905-1	Pintacuda v Zuckeberg (Civil) **Decision:** Reversed	Buncombe	Geer
02-1110-1	Ridgefield Properties v Asheville (Civil) **Decision:** Reversed and remanded	Buncombe	Wynn, Jr.
02-1188-1	Cook v Cook (Civil) **Decision:** Vacated and remanded	Buncombe	McCullough
02-1296-1	Briggs v Asheville (Civil) **Decision:** Reversed and remanded	Buncombe	Wynn, Jr.
02-1243-1	Erwin v Tweed (Civil) **Decision:** Reversed and remanded	Burke	Calabria
02-1169-1	Espino v Allstate Indemnity Company (Civil) **Decision:** Reversed and remanded	Catawba	Steelman
02-1004-1	Smith v Hamrick (Civil) **Decision:** No error	Cleveland	Hunter
02-730-1	State v Fowler (Criminal) **Decision:** Affirmed	Columbus	Levinson
02-1115-1	State v Mason (Criminal) **Decision:** No error	Columbus	Wynn, Jr.
02-1127-1	Austin v Midgett (Civil) **Decision:** Reversed and remanded	Dare	Steelman
02-396-1	Sloan Financial Group, Inc. v Beckett (Civil) **Decision:** Affirmed	Durham	McCullough
02-607-1	In the Matter of: Will of Smith (Civil) **Decision:** Reversed and remanded	Durham	McGee
02-911-1	In the Matter of: Oliver (Criminal) **Decision:** Affirmed	Durham	Hunter
02-1036-1	Hooks v Eckman (Civil) **Decision:** Affirmed	Durham	Timmons-Goodson
02-1102-1	State v Riley (Criminal) **Decision:** No error in trial; remanded for resentencing	Durham	McGee
02-1417-1	State v Brinkley (Criminal) **Decision:** New trial	Durham	Hunter

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02-827-1	Sterner v Penn (Civil) **Decision:** Affirmed	Forsyth	Hudson
02-1192-1	Nelson v Novant Health Triad Region (Civil) **Decision:** No error	Forsyth	Elmore
02-1233-1	Morris Communications v Gastonia BOA (Civil) **Decision:** Affirmed in part, reversed in part	Gaston	Calabria
02-964-1	State v Clark (Criminal) **Decision:** No error	Granville	Geer
02-848-1	Eagle v Johnson (Civil) **Decision:** New trial	Guilford	Geer
02-1032-1	Chillari v Chillari (Civil) **Decision:** Vacated and remanded	Harnett	Calabria
02-1195-1	State v Simpson (Criminal) **Decision:** No error	Henderson	Wynn, Jr.
02-480-1	Udzinski v Lovin (Civil) **Decision:** Affirmed	Iredell	Elmore
02-625-1	State v Dammons (Criminal) **Decision:** No error	Lee	Timmons-Goodson
02-619-1	Nelson v Highlands (Civil) **Decision:** Affirmed	Macon	Steelman
02-379-1	Lamond v Mahoney (Civil) **Decision:** Reversed and remanded	Mecklenburg	Geer
02-745-1	In the Matter of: Stratton (Juvenile - 3.1) **Decision:** Dismissed	Mecklenburg	Geer
02-959-1	State v Wiggins (Criminal) **Decision:** No prejudicial error	Mecklenburg	Tyson
02-1105-1	Monin v Peerless Insurance Company (Civil) **Decision:** Reversed and remanded; cross-appeal dismissed	Mecklenburg	McGee
02-1168-1	Belk v Cheshire (Civil) **Decision:** Affirmed	Mecklenburg	Timmons-Goodson
02-1388-1	Centura Bank v Winters (Civil) **Decision:** Affirmed	Mecklenburg	Hunter
02-1007-1	Hodgin v Hodgin (Civil) **Decision:** Reversed	N.C. Industrial Commission	Levinson
02-1035-1	McGrady v Olsten Corp. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Levinson
02-1159-1	North Carolina State Bar v Rudisill (Civil) **Decision:** Dismissed	N.C. State Bar	Calabria

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02-953-1	Rice v Rice (Civil) **Decision:** Reversed and remanded	New Hanover	Bryant
02-1409-1	State v Locklear (Criminal) **Decision:** No error	Onslow	Timmons-Goodson
02-651-1	Farm Bureau Ins. Co. of NC v Blong (Civil) **Decision:** Affirmed	Pasquotank	McCullough
02-938-1	State v Messick (Criminal) **Decision:** No error	Pender	Tyson
02-584-1	State v Outlaw (Criminal) **Decision:** No error in part; judgment is arrested as to 00CRS6363	Person	Geer
02-1000-1	State v Lawson (Criminal) **Decision:** No error in part, dismissed without prejudice in part	Pitt	McGee
02-672-1	Denson v Richmond County (Civil) **Decision:** Reversed and remanded	Richmond	Steelman
02-1104-1	Lewis v Edwards (Civil) **Decision:** Affirmed in part; reversed and remanded in part	Robeson	McCullough
02-772-1	State v Scercy (Criminal) **Decision:** No error at trial, remanded for resentencing	Rowan	Hudson
02-773-1	State v Poag (Criminal) **Decision:** No error	Rowan	McGee
02-1037-1	In the Matter of: Morales (Juvenile - 3.1) **Decision:** Affirmed	Sampson	Geer
02-589-1	State v Miller (Criminal) **Decision:** Vacated in part; remanded in part	Scotland	Elmore
02-882-1	Greene v Rogers Realty and Auction Co. (Civil) **Decision:** Affirmed	Surry	McCullough
01-1518-2	State v Marcoplos, et al (Criminal) **Decision:** Affirmed	Wake	Per Curiam
02-529-1	Kings Mtn. Bd. of Ed. v. NC Bd. of Ed. (Civil) **Decision:** Affirmed	Wake	Timmons-Goodson
02-1167-1	Eluhu v Rosenhaus (Civil) **Decision:** Affirmed	Wake	Martin
02-1261-1	State v Shelman (Criminal) **Decision:** No error	Wayne	Levinson

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02-800-1	Dosher v Moretz (Civil)	Brunswick 00CVS1215	Timmons-Goodson
	Decision: Dismissed		
02-778-1	In the Matter of: Redmon (Juvenile - 3.1)	Buncombe 00J260	Levinson
	Decision: Affirmed		
02-944-1	Sloop v Chestnut Hill Construction Svc. (Civil)	Buncombe 00CVS979	Martin
	Decision: New trial		
02-980-1	Draper v Draper (Civil)	Buncombe 99CVD3572	McGee
	Decision: Affirmed in part; reversed and remanded in part		
02-1107-1	Evans v Anderson (Civil)	Buncombe 00CVS3760	Hunter
	Decision: Affirmed		
02-1661-1	State v Holbrooks (Criminal)	Cabarrus 02CRS5525	McGee
	Decision: No error		
02-459-1	State v McCann (Criminal)	Caswell 00CRS2163 01CRS467	Elmore
	Decision: No error		
03-283-1	In the Matter of: Ascencio (Juvenile - 3.1)	Chatham 01J127	McGee
	Decision: Affirmed		
02-966-1	Lee v Fantasy Lake, Inc. (Civil)	Cumberland 01CVS5858	Hudson
	Decision: Affirmed		
02-1182-1	Alliance-Mentally Ill v Cumberland Co. (Civil)	Cumberland 02CVS585	Steelman
	Decision: Affirmed		
02-1101-1	State v Muse (Criminal)	Dare 01CRS51298	McGee
	Decision: No error		
02-1274-1	State v Jones (Criminal)	Davidson 02CRS543 02CRS546 00CRS51727 02CRS544 00CRS51728 02CRS545	McGee
	Decision: No error in trial. Remand for correction of clerical error.		
02-1179-1	Dukes v Bergman (Civil)	Durham 01CVS2537	Timmons-Goodson
	Decision: Reversed		
02-1202-1	State Auto Property & Casualty v Rankin (Civil)	Forsyth 01CVS6633	Steelman
	Decision: Affirmed		
02-1276-1	State v Thomas (Criminal)	Forsyth 99CRS36198	McGee
	Decision: No error		
02-1329-1	State v Bitting (Criminal)	Forsyth 00CRS59912 01CRS32257	McGee
	Decision: No error		

Docket #	Title	County	Judge
02-1055-1	Visual Outdoor v Franklinton Commr's (Civil)	Franklin 02CVS367	McCullough
	Decision: Affirmed		
02-1421-1	State v Fogg (Criminal)	Franklin 01CRS50332 01CRS1131 01CRS50331	McGee
	Decision: No error		
02-684-1	State v Hudson (Criminal)	Guilford 00CRS98514	McCullough
	Decision: No prejudicial error		
02-1027-1	Haizlip v MFI of South Carolina (Civil)	Guilford 01CVS4826	McGee
	Decision: Reversed		
02-1171-1	State v McAllister (Criminal)	Guilford 00CRS113364 01CRS23610	Steelman
	Decision: No error		
02-1242-1	Widener v Widener (Civil)	Guilford 01CVD6327	McGee
	Decision: Affirmed		
02-1738-1	In the Matter of: Resor (Juvenile - 3.1)	Guilford 02J352 02J353	McGee
	Decision: Affirmed		
02-1043-1	State v Allison (Criminal)	Henderson 94CRS8296 94CRS5296	McCullough
	Decision: No error		
02-1252-1	Mathis v Mathis (Civil)	Henderson 01CVD641	Elmore
	Decision: Affirmed		
03-56-1	State v Ford (Criminal)	Henderson 01CRS50503	McGee
	Decision: Affirmed		
02-1472-1	State v Chambers (Criminal)	Iredell 01CRS4292 01CRS4289 01CRS4293 01CRS4290	Timmons-Goodson
	Decision: No error		
02-1392-1	In the Matter of: Foster (Juvenile - 3.1)	Johnston 00J222	Timmons-Goodson
	Decision: Affirmed		
02-818-1	State v Whittington (Criminal)	Mecklenburg 00CRS01100 00CRS01098 00CRS19416 00CRS01099 00CRS19417	Levinson
	Decision: No error		
02-883-1	Yost v Westchester Specialty Ins. Svcs. (Civil)	Mecklenburg 01CVS14668	McCullough
	Decision: Affirmed		
02-1069-1	Ocwen Federal Bank v Sella (Civil)	Mecklenburg 00CVD11493	Steelman
	Decision: Vacated and remanded		
02-1070-1	First Union National Bank of NC v Sella (Civil)	Mecklenburg 00CVD11494	Steelman
	Decision: Vacated and remanded		

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02-1096-1	McKyer v McKyer (Civil)	Mecklenburg 00CVD9237 01CVD22855	Wynn, Jr.
	Decision: Affirmed		
02-1338-1	Petho v Wakeman (Civil)	Mecklenburg 01CVS13961	McGee
	Decision: Affirmed		
02-79-1	DOT v Stout (Civil)	Moore 01CVS180	Eagles, Jr.
	Decision: Dismissed		
02-80-1	DOT v Peele (Civil)	Moore 00CVS975	Eagles, Jr.
	Decision: Dismissed		
02-1675-1	State v Barton (Criminal)	Moore 02CRS3284 02CRS3285	McGee
	Decision: Affirmed		
02-685-1	King v Kelly Springfield Tire Co. (Civil)	N.C. Industrial Commission IC538736	McGee
	Decision: Affirmed in part remanded in part		
02-1397-1	Hargrove v Batts Temporary Service (Civil)	N.C. Industrial Commission IC065431	Hunter
	Decision: Affirmed		
02-406-1	In the Matter of: Schoen (Juvenile - 3.1)	New Hanover 01J422	Geer
	Decision: Affirmed		
02-1154-1	Stallings v Daniels (Civil)	New Hanover 02CVS1204	McGee
	Decision: Reversed and remanded in part		
02-799-1	Lambert v Harrell (Civil)	Pasquotank 01CVS579	Elmore
	Decision: Affirmed		
02-1082-1	State v Richardson (Criminal)	Person 00CRS4506 01CRS4925	Steelman
	Decision: No error		
02-761-1	State v Williams (Criminal)	Richmond 01CRS724 01CRS2499	Hudson
	Decision: No error		
02-893-1	State v Miles (Criminal)	Robeson 95CRS15621 95CRS15622	McCullough
	Decision: No error		
02-1283-1	Barnhill v Barnhill (Civil)	Robeson 98CVD127	Steelman
	Decision: Vacated and remanded		
02-631-1	In the Matter of: Thompson (Juvenile - 3.1)	Rowan 99J72	McCullough
	Decision: Affirmed		
02-1235-1	Barber v Myers (Civil)	Rutherford 00CVD1167	McGee
	Decision: Reversed and remanded		
02-1351-1	Russell v Thornton (Civil)	Rutherford 00CVS935	McCullough
	Decision: No error		

Docket #	Title	County	Judge
02-1223-1	Allen v Powell (Civil)	Transylvania 99CVD343	McCullough
	Decision: Affirmed		
02-1298-1	State ex rel. Blakeney v Reid (Civil)	Union 94CVD1525	Steelman
	Decision: Reversed and remanded		
03-64-1	State v Clyburn (Criminal)	Union 01CRS52150 02CRS3709	McGee
	Decision: No error; motion for appropriate relief is denied; and defendant's Notice filing is dismissed		
02-122-1	Buckingham v Buckingham (Civil)	Wake 96CVD11317	Timmons-Goodson
	Decision: Affirmed		
02-913-1	Conseco Finance Servicing v Home City (Civil)	Wake 02CVS5931	Eagles, Jr.
	Decision: Dismissed		
02-951-1	State v Loza-Rivera (Criminal)	Wake 01CRS8973 01CRS8971 01CRS8972	Timmons-Goodson
	Decision: Reversed		
02-1178-1	Cary Crossroads Assoc. v Atlanta Bread (Civil)	Wake 01CVS14724	McGee
	Decision: Reversed and remanded		
02-1319-1	Coastal Caisson v Kline Iron and Steel (Civil)	Wake 00CVS658	Steelman
	Decision: Affirmed		
02-1507-1	State v Strickland (Criminal)	Wake 01CRS112241 02CRS2996	McGee
	Decision: No error in part; reversed and remanded in part		
02-1131-1	Abbott v Evans-Abbott (Civil)	Watauga 02CVD27	Hudson
	Decision: Affirmed		
02-1081-1	In the Matter of: Martin (Juvenile - 3.1)	Wayne 01J0102 01J0103 01J0103 01J0102	Martin
	Decision: Affirmed		