

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 3 FEBRUARY 2004)**  
**(MANDATE 23 FEBRUARY 2004)**

Docket #	Title	County	Judge
03-70-1	State v Escoto and Ramos (Criminal) <b>Decision:</b> No error	Alamance	McGee
02-1707-1	State v Skinner (Criminal) <b>Decision:</b> 94CRS1908 (Assault with a deadly weapon with intent to kill inflicting serious injury)- Judgment arrested; remanded. 94CRS2420 (Felonious breaking or entering and felonious larceny)-Judgment vacated; remanded for new sentencing.	Bertie	Hudson
02-1547-1	In the Matter of: Mashburn (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe	Wynn, Jr.
02-1592-1	In the Matter of: Griffin (Juvenile - Criminal) <b>Decision:</b> Vacated	Buncombe	Elmore
02-1722-1	Harris v Harris (Civil) <b>Decision:</b> Affirmed	Forsyth	McGee
00-898-2	Malloy v Cooper, et al (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Granville	Hudson
02-1719-1	State v Evans (Criminal) <b>Decision:</b> No error	Guilford	Timmons-Goodson
03-171-1	Slaughter v Swicegood (Civil) <b>Decision:</b> Affirmed in part; reversed in part; dismissed in part	Guilford	Levinson
03-119-1	State v Doisey (Criminal) <b>Decision:</b> Reversed and remanded in part, no error in part	Halifax	Levinson
02-1493-1	Monteith v Kovas (Civil) <b>Decision:</b> Reversed and remanded	Jackson	Elmore
02-1533-1	Hunter v Guardian Life Insurance Co. (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Mecklenburg	McGee
03-25-1	Viar v NC DOT (Civil) <b>Decision:</b> Reversed	N.C. Industrial Commission	Levinson
03-107-1	Childress v Fluor Daniel, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Steelman
03-180-1	Stetser v TAP Pharmaceutical Products (Civil) <b>Decision:</b> Reversed	New Hanover	McCullough
03-347-1	Purcell v Downey (Civil) <b>Decision:</b> Reversed and remanded	Person	Elmore

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02-1720-1	Associated Indus. v Fleming Engineering (Civil) <b>Decision:</b> Affirmed	Rockingham	Geer
01-1329-2	NC Forestry Association v NC DENR (Civil) <b>Decision:</b> Affirmed in part, vacated in part, and remanded	Wake	Tyson
02-1643-1	CVS Pharmacy, Inc. v NC Bd. of Pharmacy (Civil) <b>Decision:</b> Affirmed	Wake	Elmore
03-14-1	Cherry v State Farm Mutual Auto Ins Co (Civil) <b>Decision:</b> Reversed and remanded with instructions	Wilson	Calabria

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03-194-1	Reid v Phillips (Civil) <b>Decision:</b> Affirm	Ashe 02CVS225	Timmons-Goodson
03-113-1	Magaldi v Belverd (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Cabarrus 01CVD1747	Martin
03-332-1	Williams v Charlotte Copy Data, Inc. (Civil) <b>Decision:</b> No error	Catawba 01CVS400	Steelman
03-325-1	State v Picon (Criminal) <b>Decision:</b> No error	Cherokee 01CRS50306,01CRS50307	Tyson
03-115-1	In the Matter of: Duffy (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cumberland 01J391	Martin
03-142-1	State v King (Criminal) <b>Decision:</b> No error	Davidson 98CRS15196	McCullough
03-346-1	In Re: Brown (Juvenile - 3.1) <b>Decision:</b> Affirmed	Davie 00J56,99J3,00J58 00J59,00J58,00J60,00J56,0- 0J59,99J3,00J60	Elmore
02-1723-1	Gattis v Royster (Civil) <b>Decision:</b> Affirmed	Durham 01CVS1025	McGee
03-122-1	Williams v Estate of Grimes (Civil) <b>Decision:</b> Dismissed	Durham 02CVS755	McGee
02-1692-1	State v Underwood (Criminal) <b>Decision:</b> No error	Forsyth 01CRS61002	Hudson
03-2-1	State v Watlington (Criminal) <b>Decision:</b> No error	Forsyth 01CRS39721,01CRS62233	McGee
03-265-1	Schmoker v Land (Civil) <b>Decision:</b> Affirmed	Granville 01CVS908	McGee
02-1520-1	Elliott v Birth (Civil) <b>Decision:</b> Affirmed	Lee 98CVD471	McGee
02-1521-1	Elliott v Birth (Civil) <b>Decision:</b> Affirmed	Lee 98CVD473	McGee
03-273-1	Jonesboro UMC v Mullins-Sherman Arch's (Civil) <b>Decision:</b> Affirmed	Lee 02CVS410	Wynn, Jr.
02-1610-2	Beatenhead v Lincoln County (Civil) <b>Decision:</b> Affirmed as to defendant Eaddy and reversed as to the remaining defendants	Lincoln 01CVS784	Hudson

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03-262-1	State v Hamilton (Criminal)  <b>Decision:</b> No error	Mecklenburg 02CRS205769,02CRS20576-7,02CRS205770,02CRS205-768,02CRS205771	McGee
03-343-1	State v Shannon (Criminal)  <b>Decision:</b> No error	Mecklenburg 01CRS13082,01CRS13083	Steelman
02-1698-1	Sutton v Mission St. Joseph's Hospital (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC057576	McGee
03-15-1	West v McBane-Brown, Inc. (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC982867	McGee
03-168-1	State v Rivera (Criminal)  <b>Decision:</b> No error	Onslow 01CRS56303,01CRS56301,-01CRS56305,01CRS56302	Levinson
02-1748-1	State v Horner (Criminal)  <b>Decision:</b> No error	Orange 98CRS1364	McGee
03-413-1	Bazzari v Samara (Civil)  <b>Decision:</b> Dismissed	Orange 00CVS766	Tyson
03-410-1	Bass v Siloam Baptist Church (Civil)  <b>Decision:</b> Affirmed	Person 99CVS625	Steelman
03-68-1	State v Velazquez (Criminal)  <b>Decision:</b> No error in trial. New sentencing hearing.	Pitt 01CRS52771,01CRS52301,-01CRS55294,01CRS52417,-01CRS56338	Levinson
03-299-1	State v Smith (Criminal)  <b>Decision:</b> No error	Robeson 01CRS50360	Tyson
02-1451-1	Citicorp Vendor Finance v Fitness Plus (Civil)  <b>Decision:</b> Affirmed	Wake 01CVD11753	McGee