

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 APRIL 2004)**  
**(MANDATE 26 APRIL 2004)**

Docket #	Title	County	Judge
03-775-1	Elliott v Elliott Estate (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Brunswick	Calabria
03-365-1	In re B.S.D.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Burke	Bryant
03-709-1	L&M Transportation v Morton Industrial (Civil) <b>Decision:</b> Affirmed	Cabarrus	Tyson
03-26-1	State v Hurt (Criminal) <b>Decision:</b> Vacated and remanded	Caldwell	Elmore
03-681-1	State v Willis (Civil) <b>Decision:</b> Affirmed	Carteret	Timmons-Goodson
03-1-1	State v McDonald and Forte (Criminal) <b>Decision:</b> No error	Craven	Hudson
03-679-1	In re H. W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Davidson	Martin
02-1706-1	State v Bryant (Criminal) <b>Decision:</b> Reversed	Forsyth	Geer
03-172-1	State v Singletary (Criminal) <b>Decision:</b> No error	Forsyth	Timmons-Goodson
03-466-1	State v Beck (Criminal) <b>Decision:</b> No prejudicial error at trial. Remand for resentencing.	Forsyth	Tyson
03-552-1	Herring v Liner (Civil) <b>Decision:</b> Affirmed	Forsyth	Tyson
03-562-1	Marketplace Antique Mall, Inc. v Lewis (Civil) <b>Decision:</b> Affirmed	Forsyth	Bryant
02-1512-1	State v Dennison (Criminal) <b>Decision:</b> New trial	Guilford	Elmore
03-22-1	Livingston v Adams Kleemeier Hagan (Civil) <b>Decision:</b> Affirmed	Guilford	McGee
03-69-1	Hutchinson v Nationwide Mutual Fire Ins (Civil) <b>Decision:</b> Affirmed	Iredell	Timmons-Goodson
02-1665-1	Financial Svcs. of Raleigh v Barefoot (Civil) <b>Decision:</b> Affirmed	Johnston	Geer

Docket #	Title	County	Judge
03-671-1	House v Stone (Civil) <b>Decision:</b> Affirmed	Johnston	Timmons-Goodson
03-504-1	Horne v Timber Hill Holdings (Civil) <b>Decision:</b> Reversed	Macon	Hunter
03-5-1	Campbell v McIlwain (Civil) <b>Decision:</b> No error	Mecklenburg	Hudson
03-232-1	Auto Owners Insurance Co. v Grier (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Timmons-Goodson
03-676-1	Sherwin-Williams Co. v ASBN, Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Timmons-Goodson
03-480-1	Lewis v Duke University (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Wynn, Jr.
03-527-1	Towns v Epes Transportation (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Bryant
03-557-1	State v Pope & Bell (Criminal) <b>Decision:</b> No error	Nash	Martin
03-213-2	Pharmaresearch Corp. v Mash (Civil) <b>Decision:</b> Affirmed	New Hanover	Levinson
03-510-1	State v Lane (Criminal) <b>Decision:</b> Vacated in part and remanded	New Hanover	Bryant
03-88-1	State v Davis (Criminal) <b>Decision:</b> No error	Onslow	Wynn, Jr.
03-261-1	State v McRae (Criminal) <b>Decision:</b> No error	Richmond	McCullough
02-1752-1	Painter-Jamieson v Painter (Civil) <b>Decision:</b> Affirmed	Rowan	Calabria
03-658-1	State v Trejo (Criminal) <b>Decision:</b> Reversed; remanded for resentencing	Rowan	Levinson
03-210-1	Tarrant v Freeway Foods of Greensboro (Civil) <b>Decision:</b> Reversed and remanded	Wake	McCullough
03-682-1	State v Becton (Criminal) <b>Decision:</b> Judgment modified and cause remanded	Wake	Wynn, Jr.

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 6 APRIL 2004)  
(MANDATE 26 APRIL 2004)**

Docket #	Title	County	Judge
03-666-1	State v Freeman (Criminal) <b>Decision:</b> No error	Beaufort 01CRS2696,02CRS117	Tyson
03-741-1	In re C.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 01J338AE	Martin
03-771-1	Greenleaf v Greenleaf (Civil) <b>Decision:</b> Reversed and remanded	Buncombe 01CVD6058	Steelman
03-959-1	State v Wilson (Criminal) <b>Decision:</b> No error	Buncombe 02CRS4286	Martin
03-443-1	State v Eudy (Criminal) <b>Decision:</b> Affirmed	Cabarrus 99CRS14971,99CRS14972	Wynn, Jr.
03-727-1	In re J.M.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cabarrus 01J150,01J148,01J151,01J149	McCullough
03-1102-1	Juarez-Garcia Estate v Sanders Constr. (Civil) <b>Decision:</b> Affirmed	Cabarrus 03CVS227	Martin
03-667-1	State v Farley (Criminal) <b>Decision:</b> No error	Cleveland 02CRS2346,02CRS50677	Wynn, Jr.
03-603-1	State v McNeill (Criminal) <b>Decision:</b> No error	Cumberland 02CRS54468	Wynn, Jr.
03-560-1	State v Alford (Criminal) <b>Decision:</b> Affirmed	Davidson 93CRS4448	Wynn, Jr.
03-627-1	Stokes v Wiley (Civil) <b>Decision:</b> No error	Durham 00CVS2413	Hunter
03-825-1	State v Jones (Criminal) <b>Decision:</b> No error	Durham 01CRS420600,01CRS11523- ,01CRS420601,01CRS420599	McCullough
03-407-1	State v Pouncy (Criminal) <b>Decision:</b> No error	Guilford 01CRS86710,02CRS23120	Bryant
03-425-1	State v Baker (Criminal) <b>Decision:</b> No error	Guilford 02CRS23525,02CRS83322,- 02CRS83327	Hunter
03-1126-1	State v Jeter (Criminal) <b>Decision:</b> No error	Guilford 02CRS98903	McCullough
03-1167-1	State v Tisdale (Criminal)	Guilford 02CRS89757,02CRS23736	McCullough

Docket #	Title	County	Judge
	<b>Decision:</b> No error		
03-623-1	State v Jones (Criminal)	Halifax 01CRS56443	Wynn, Jr.
	<b>Decision:</b> No error		
03-1175-1	State v Johnson (Criminal)	Halifax 01CRS1916	Martin
	<b>Decision:</b> Affirmed		
03-653-1	State v Gonzales (Criminal)	Harnett 97CRS3573,97CRS3574	Levinson
	<b>Decision:</b> No error		
03-3-1	State v Ponder and Harris (Criminal)	Henderson 01CRS53119,01CRS53116,- 01CRS53118	Hudson
	<b>Decision:</b> 01CRS053116(Harlan Ponder)No error. 01CRS053118(Jason Harlan Ponder)No error. 01CRS053119 (Sonja Case Harris)No error, remanded for resentencing.		
03-1107-1	State v Black (Criminal)	Henderson 03CRS1128,03CRS51673	Martin
	<b>Decision:</b> No error		
02-1693-1	State v Warren (Criminal)	Hyde 00CRS188	Elmore
	<b>Decision:</b> Reversed		
02-1741-1	Cincinnati Insurance v Brown & Walker (Civil)	Iredell 01CVS1423	McGee
	<b>Decision:</b> Reversed and remanded		
03-303-1	State v Bynum (Criminal)	Lenoir 02CRS52192,02CRS52201	Tyson
	<b>Decision:</b> No error		
03-1219-1	Dove v Wil-O-Wisp Apts. (Civil)	Lenoir 02CVS125	Martin
	<b>Decision:</b> Affirmed		
03-710-1	Crawford v Impink (Civil)	Macon 01CVS576	Wynn, Jr.
	<b>Decision:</b> Reversed and remanded		
03-166-1	State v Mason (Criminal)	Mecklenburg 01CRS128449,01CRS16172	McCullough
	<b>Decision:</b> No error		
03-604-1	Nie-Hmok v Ayers (Civil)	Mecklenburg 02CVD2732	Timmons-Goodson
	<b>Decision:</b> Affirmed		
03-799-1	State v Haylock (Criminal)	Mecklenburg 01CRS53923,01CRS53924	McCullough
	<b>Decision:</b> No error		
03-968-1	State v Alexander (Criminal)	Mecklenburg 01CRS43652	Wynn, Jr.
	<b>Decision:</b> No error		
03-434-1	Bullock v Headway Corporate Staffing (Civil)	N.C. Industrial Commission IC934263	Tyson
	<b>Decision:</b> Affirmed		
03-200-1	State v Duggins (Criminal)	Nash 98CRS5348	Wynn, Jr.
	<b>Decision:</b> No error in part; remanded in part for resentencing		

Docket #	Title	County	Judge
03-387-1	Williams v Haigler (Civil) <b>Decision:</b> Affirmed	New Hanover 00CVS1427	Steelman
03-550-1	New Hanover Cty. Airport Auth. v Stocks (Civil) <b>Decision:</b> Affirmed	New Hanover 01CVS3322	Martin
03-640-1	State v Sephes (Criminal) <b>Decision:</b> No error in 92CRS15141 and 92CRS15143. Remand for resentencing in 92CRS15142 first degree kidnapping.	Onslow 92CRS15143,92CRS15141,- 92CRS15142	McCullough
03-662-1	State v Ackerman (Criminal) <b>Decision:</b> No error	Onslow 02CRS58795	Martin
03-455-1	Sloan v Hitt (Civil) <b>Decision:</b> Affirmed	Pitt 98CVD394	Steelman
03-983-1	State v Lewis (Criminal) <b>Decision:</b> Dismissed	Pitt 02CRS60152	Wynn, Jr.
03-1176-1	Rice Constr & Dev Co v Beam Constr Co (Civil) <b>Decision:</b> Dismissed	Pitt 02CVS3489	Martin
03-735-1	State v Williams (Criminal) <b>Decision:</b> No error	Randolph 00CRS120,00CRS121,00CR- S120,00CRS119,00CRS121	McCullough
03-803-1	State v Cummings (Criminal) <b>Decision:</b> No error	Robeson 00CRS17216,00CRS17211,- 00CRS4489,00CRS17214,0- 0CRS1729,00CRS4487,00C- RS17212,00CRS4490,00CR- S17215,00CRS17210,00CR- S4488,00CRS17213,00CRS4492	McCullough
03-886-1	State v Nance (Criminal) <b>Decision:</b> No error	Robeson 02CRS50057,02CRS50055,- 02CRS50058,02CRS50056	McCullough
03-646-1	In re L.C.L. (Criminal) <b>Decision:</b> Affirmed	Scotland 00J82B	Wynn, Jr.
03-665-1	State v Penland (Criminal) <b>Decision:</b> Affirmed	Stokes 01CRS50854,01CRS50849,- 01CRS50852,01CRS2493,0- 1CRS50850,01CRS50853,0- 1CRS50848,01CRS50851	McCullough
03-478-1	Cureton v Helms (Civil) <b>Decision:</b> Affirmed	Union 01CVS1313	Timmons-Goodson
03-467-1	Stiltner v Davis (Civil) <b>Decision:</b> Reversed and remanded	Vance 02CVD555	Tyson

Docket #	Title	County	Judge
03-547-1	Omega Drywall v CM Constr. & Dev. Svcs. (Civil) <b>Decision:</b> Reversed and remanded	Vance 00CVS782	Tyson
03-491-1	Baloch v NC DOC (Civil) <b>Decision:</b> Affirmed	Wake 02CVS5115	Calabria
03-622-1	State v Harvey (Criminal)  <b>Decision:</b> No error	Wake 02CRS5062 02CRS5065,02CRS5063,02CRS5067,02CRS5064,02CRS5066,02CRS5063,02CRS5067,02CRS5065,02CRS5062,02CRS5066,02CRS5064	Wynn, Jr.
03-1012-1	State v Richardson (Criminal) <b>Decision:</b> Affirmed	Wake 03CRS13319	Martin
03-1060-1	State v Jones (Criminal)  <b>Decision:</b> No error	Wake 02CRS49838,02CRS48110,-02CRS49831	Martin
03-29-1	In re: L.N.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wayne 02J51	Hudson
03-191-1	State v Adams (Criminal) <b>Decision:</b> No error	Wayne 01CRS55360,01CRS12147	Tyson
03-687-1	State v Collins (Criminal) <b>Decision:</b> No error	Wayne 01CRS55982	Wynn, Jr.
03-376-1	Minton v L.D. Dollar, III, Inc. (Civil) <b>Decision:</b> Dismissed	Wilkes 02CVS1332	Geer
02-1611-1	Shoemake v Sides (Civil) <b>Decision:</b> No error	Yadkin 98CVS816	Elmore