IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 6 JULY 2004)
(MANDATE 26 JULY 2004)

Docket #	Title	County	Judge
02-1717-1	State v Boston (Criminal) **Decision:** No error	Buncombe	Timmons-Goodson
03-758-1	State v Smith (Criminal) **Decision:** Reversed	Buncombe	McCullough
03-704-1	Cannon v Day (Civil) **Decision:** No error	Carteret	Geer
03-790-1	Godfrey v Res-Care, Inc. (Civil) **Decision:** No error	Catawba	Timmons-Goodson
03-791-1	Godfrey v Res-Care, Inc. (Civil) **Decision:** No error	Catawba	Timmons-Goodson
03-367-1	Anthony Marano Co. v Jones (Civil) **Decision:** Affirmed	Cleveland	Elmore
03-652-1	State v Clark (Criminal) **Decision:** Harmless error. Judgments and sentence affirmed.	Cumberland	Tyson
03-1035-1	Davis v Durham County Area MHDDSAS (Civil) **Decision:** Affirmed	Durham	Tyson
03-335-1	Whitt v Harris Teeter, Inc. (Civil) **Decision:** Reversed	Forsyth	Wynn, Jr.
03-534-1	State v McDonald (Criminal) **Decision:** No error	Guilford	Tyson
03-989-1	State v Burrell (Criminal) **Decision:** No error	Guilford	Timmons-Goodson
03-1061-1	State v McAdoo (Criminal) **Decision:** No error	Guilford	Tyson
03-1389-1	Van Keuren v Little (Civil) **Decision:** Affirmed	Guilford	Tyson
03-1043-1	Global Furniture, Inc. v Proctor (Civil) **Decision:** Vacated and remanded	Iredell	Tyson
03-421-1	In Re: J.L.K. (Juvenile - 3.1) **Decision:** Affirmed	Johnston	Elmore
03-972-1	State v Phifer (Criminal) **Decision:** No error	Mecklenburg	Timmons-Goodson
03-1079-1	Kummer v Lowry (Civil) **Decision:** Affirmed	Mecklenburg	Tyson

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03-1362-1	State v Harrison (Criminal) **Decision:** Affirmed	Mecklenburg	Tyson
02-1446-1	Jenkins v Easco Aluminum (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Timmons-Goodson
03-815-1	Madison v International Paper Co. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Hunter
03-853-1	Collins v Speedway Motor Sports Corp. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Martin
03-1164-1	Lee v Wake County (Civil) **Decision:** Reversed and remanded	N.C. Industrial Commission	Levinson
03-896-1	State ex rel. UC v Carolina Water Serv. (Civil) **Decision:** Affirmed	N.C. Utilities Commission	Elmore
03-592-1	In Re: N.R.M. & T.F.M. (Juvenile - 3.1) **Decision:** Vacated and remanded	New Hanover	McGee
03-648-1	Satorre v New Hanover County (Civil) **Decision:** Reversed	New Hanover	McCullough
03-901-1	Stetser v TAP Pharmaceutical Products (Civil) **Decision:** Affirmed in part; reversed and remanded in part	New Hanover	Martin
03-1262-1	McGlynn v Duke University (Civil) **Decision:** Affirmed	Orange	Tyson
03-1226-1	In Re: Appeal of Weaver Investment Co. (Civil) **Decision:** Affirmed	Property Tax Commission	Tyson
03-732-1	State v Blackstock (Criminal) **Decision:** In the judgment of the trial court for first-degree murder, 00CRS005674, we find, No error. The judgment of the trial court for robbery with a dangerous weapon, 00CRS009485, is Vacated.	Rockingham	Wynn, Jr.
03-1110-1	Home Savings Bank v Colonial American (Civil) **Decision:** Affirmed in part and dismissed in part	Rockingham	Elmore
03-1332-1	State v Brown (Criminal) **Decision:** No error in 03CRS50233 and 50284. Remanded for appointment of new appellate counsel in 03CRS1379, 50234, and 50276.	Stokes	Bryant
02-1657-1	Deep River Citizens Coalition v NC DENR (Civil) **Decision:** Affirmed	Wake	Timmons-Goodson
03-787-1	State v Hedgepeth (Criminal) **Decision:** No error	Wake	McCullough
03-818-1	Leverette v Batts Temporary Svcs., Inc. (Civil) **Decision:** Vacated in part, affirmed in part, dismissed in part	Wake	Wynn, Jr.

Docket #	Title	County	Judge
03-1194-1	Revels v Miss America Organization (Civil) **Decision:** Affirmed	Wake	Elmore

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03-754-1	In the Matter of: M.L.J. (Juvenile - 3.1)	Alamance 02J38	Thornburg
	Decision: Affirmed		
03-782-1	Brewer v Brewer (Civil)	Alamance 02SP356	McCullough
	Decision: Appeal dismissed		
03-1514-1	State v Nixon (Criminal)	Beaufort 02CRS53645,02CRS3947,0- 2CRS53646,02CRS3948	Tyson
	Decision: No error in part-Docket numbers 02CRS053645, 02CRS053646. Reversed and remanded in part-Docket numbers 02CRS003947; 02CRS003948.		
03-1656-1	In Re: M.C. & C.H. (Juvenile - 3.1)	Cabarrus 01J198,01J199	Steelman
	Decision: Affirmed		
03-1541-1	State v Logan (Criminal)	Caldwell 02CRS5933,02CRS5336	Steelman
	Decision: No error		
03-1503-1	State v Merritt (Criminal)	Carteret 02CRS5569 02CRS55610,02CRS55610,- 02CRS5569	Steelman
	Decision: No error		
03-960-1	Alan Stone Excavating v Jones Bros. (Civil)	Chatham 02CVS381	Hudson
	Decision: Affirmed		
03-1404-1	State v Crisp (Criminal)	Clay 02CRS50103	Steelman
	Decision: Affirmed		
03-834-1	State v Goodson (Criminal)	Cleveland 01CRS3054	Martin
	Decision: No error		
03-1299-1	State v Collie (Criminal)	Cleveland 01CR57429	Steelman
	Decision: Appeal dismissed		
03-1163-1	State v Ragland (Criminal)	Cumberland 02CRS52465	Bryant
	Decision: No error		
03-1086-1	State v Jackson (Criminal)	Davidson 02CRS52154	Martin
	Decision: No error		
03-349-1	State v Taylor (Criminal)	Durham 01CRS53766	Elmore
	Decision: No error		
03-692-1	State v Reed (Criminal)	Durham 00CRS57794,00CRS13322,- 00CRS57792,00CRS57795,- 00CRS13323,00CRS57793,- 00CRS57777	Hudson
	Decision: No error		
03-942-1	State v Hawkins (Criminal)	Durham 00CRS57915,00CRS57917	Bryant
	Decision: No error		

Docket #	Title	County	Judge
03-1173-1	State v Hunter (Criminal)	Durham 00CRS57076	Bryant
	Decision: No error		
03-1440-1	Lowe v Baldwin (Civil)	Durham 02CVS3834	Tyson
	Decision: Affirmed		
03-536-1	State v Williams (Criminal)	Edgecombe 00CRS52206	McCullough
	Decision: No error		
03-1430-1	State v Gray (Criminal)	Forsyth 02CRS51072	Bryant
	Decision: No error		
03-39-1	State v Wardlaw (Criminal)	Guilford 00CRS96099	Geer
	Decision: New trial		
03-244-1	State v Nelson (Criminal)	Guilford 01CRS98942,01CRS98941,- 01CRS98935,01CRS98936,- 01CRS98939,01CRS98940	Martin
	Decision: No error		
03-487-1	In the Matter of: A.L.K. (Juvenile - 3.1)	Guilford 98J1047	Timmons-Goodson
	Decision: Affirmed		
03-549-1	State v Foye (Criminal)	Guilford 00CRS106379	McCullough
	Decision: No error		
03-999-1	Vittitoe v Vittitoe (Civil)	Guilford 96CVD1249	Wynn, Jr.
	Decision: Affirmed		
03-1127-1	State v Case (Criminal)	Guilford 01CRS94086,01CRS94089,- 01CRS94043,01CRS94087,- 01CRS94044,01CRS94088	Steelman
	Decision: Affirmed		
03-1161-1	In the Matter of: S.H. & A.K. (Juvenile - 3.1)	Guilford 03J197,03J198	Levinson
	Decision: Remanded		
03-1190-1	State v Chappell (Criminal)	Guilford 02CRS91932,02CRS91930,- 02CRS91931	Martin
	Decision: No error		
03-1336-1	State v Goodwin (Criminal)	Guilford 02CRS87385	Bryant
	Decision: Affirmed		
03-1397-1	State v Pratt (Criminal)	Guilford 02CRS82777	Bryant
	Decision: No error		
03-1401-1	Kennedy v Branch Banking & Trust Co. (Civil)	Guilford 03CVS6034	Tyson
	Decision: Affirmed		
03-1515-1	JG Winston-Salem v Cent. Carolina Surg. (Civil)	Guilford 03CVS720	Steelman

Docket #	Title	County	Judge
	Decision: Appeal dismissed		
03-590-1	State v Jones (Criminal)	Harnett 01CRS50743,01CRS1029	Timmons-Goodson
	Decision: No error		
03-1301-1	State v Kneller (Criminal)	Haywood 02CRS3833	Bryant
	Decision: Affirmed; remanded for correction of clerical error in the judgment		
03-940-1	State v Hooker (Criminal)	Lenoir 02CRS53019,02CRS53017,- 02CRS53018	Calabria
	Decision: No error		
03-928-1	State v Dendy (Criminal)	Mecklenburg 02CRS229813,02CRS229814	Hunter
	Decision: No error		
03-1285-1	In the Matter of: K.P.P (Criminal)	Mecklenburg 01J693	Bryant
	Decision: Affirmed		
03-949-1	Oldham v HSL Automotive, Inc. (Civil)	Moore 01CVS1498	Timmons-Goodson
	Decision: Dismissed		
03-798-1	Kohnen v Eaton Corp. (Civil)	N.C. Industrial Commission IC985679	McCullough
	Decision: Affirmed		
03-1081-1	Branson v Duke University (Civil)	N.C. Industrial Commission IC046241,IC044467, IC046239	Hudson
	Decision: Affirmed		
03-1170-1	Pomeroy v Tanner Masonry (Civil)	N.C. Industrial Commission IC451069	Levinson
	Decision: Affirmed		
03-1210-1	Shockley v Cairn Studios Ltd. (Civil)	N.C. Industrial Commission IC601213	Wynn, Jr.
	Decision: Affirmed		
03-506-1	State v Dubar (Criminal)	New Hanover 01CRS8471	Timmons-Goodson
	Decision: No error		
03-826-1	State v Bethea (Criminal)	New Hanover 01CRS24730	Elmore
	Decision: No prejudicial error		
03-843-1	In the Matter of: C.N.S. and B.N.S. (Juvenile - 3.1)	New Hanover 02J305,02J306	McCullough
	Decision: Affirmed		
03-1448-1	State v Kennedy (Criminal)	New Hanover 02CRS56903	Steelman
	Decision: No error		
03-748-1	State v Dietriech (Criminal)	Onslow 02CRS54676,02CRS54674,- 02CRS54675	McCullough
	Decision: No error		
03-728-1	In the Matter of: R.T.W. (Juvenile - 3.1)	Orange 01J86	McCullough

Docket #	Title	County	Judge
	Decision: Vacated		
03-1368-1	Smithfield Financial Services v Conway (Civil)	Pitt 02CVS2120	Levinson
	Decision: Dismissed		
03-318-1	State v Carter (Criminal)	Randolph 00CRS690,00CRS22,00CRS23	Levinson
	Decision: No error		
03-996-1	State v Jackson (Criminal)	Robeson 02CRS18337,02CRS18340,- 02CRS18335,02CRS18338,- 02CRS18336,02CRS18339	Tyson
	Decision: Affirmed		
03-745-1	Billingsley v Keystone Foods (Civil)	Rockingham 02CVS2194	Hudson
	Decision: Reversed and remanded		
03-1283-1	Wilhelm v Rowan County Bd. of Comm'rs (Civil)	Rowan 03CVS637	Wynn, Jr.
	Decision: Reversed and remanded		
03-1403-1	State v Newsom (Criminal)	Rowan 02CRS50640,03CRS928,02- CRS1052,03CRS926,02CR- S1053,03CRS927	Tyson
	Decision: No error		
03-1294-1	State v Garlins (Criminal)	Union 02CRS50277	Steelman
	Decision: No error		
03-607-1	Little River Soil Farm v Hill (Civil)	Wake 00CVS13543	Martin
	Decision: Appeal dismissed		
03-872-1	Adesuyi v Salomon Brothers Realty Corp. (Civil)	Wake 03CVS4844	Bryant
	Decision: Appeal dismissed		
04-3-1	State v Weldon (Criminal)	Wake 02CRS69525,02CRS790,02- CRS791	Steelman
	Decision: No error		
03-644-1	In the Matter of: C.B. (Juvenile - 3.1)	Wayne 02J191	Thornburg
	Decision: Affirmed		