

**IN THE COURT OF APPEALS**

**CASES REPORTED WITH PUBLISHED OPINIONS**

**(FILED 3 AUGUST 2010)**  
**(MANDATE 23 AUGUST 2010)**

Docket #	Title	County	Judge
09-1410-1	Apple Tree, et al v Grandfather Mountain, et al (Civil) <b>Decision:</b> Reversed	Avery	Steelman
09-274-1	In The Matter Of: Will of Durham (Civil) <b>Decision:</b> Affirmed	Chatham	Ervin, IV
09-1690-1	Burgess v Hamrick, et al (Civil) <b>Decision:</b> Reverse and remand	Cleveland	Hunter
10-19-1	State v Frazier (Criminal) <b>Decision:</b> Reversed and Remanded	Craven	Elmore
09-1313-1	Harris v Barefoot, et al (Civil) <b>Decision:</b> Affirmed	Cumberland	Elmore
06-710-2	Brown v Ellis (Civil) <b>Decision:</b> Vacated in part; reversed and remanded in part	Guilford	Stroud
09-606-1	State v Headen (Criminal) <b>Decision:</b> No Error	Guilford	Geer
09-607-1	Miller v First Bank (Civil) <b>Decision:</b> Affirmed	Guilford	Geer
09-987-1	State v Clayton (Criminal) <b>Decision:</b> Vacate	Lincoln	Stroud
09-975-1	State v Mobley (Criminal) <b>Decision:</b> No Error	Mecklenburg	Steelman
09-1074-1	Bradley v Bradley (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Steelman
09-739-1	McLaughlin v Staffing Solutions (Civil) <b>Decision:</b> Affirmed and Remanded	N.C. Industrial Commission	Stroud
09-1720-1	Phillips v NC State University (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Hunter, Jr.
10-136-1	Cardwell v Jenkins Cleaners, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Bryant Chief John C. Martin(d)
09-1545-1	Harbour Point Homeowners v DJF Enterprises, et al (Civil) <b>Decision:</b> Dismissed	New Hanover	Ervin, IV
09-1016-1	Heller v Somdahl (Civil) <b>Decision:</b> No Error	Onslow	Steelman

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09-1151-1	State v Inman (Criminal) <b>Decision:</b> Dismissed	Onslow	Jackson Donna Stroud(d)
09-462-2	In The Matter Of: J.A.G. (Juvenile - Criminal) <b>Decision:</b> Reversed and Remanded	Orange	Elmore
09-1535-1	Langston v Richardson (Civil) <b>Decision:</b> Affirmed	Perquimans	Calabria James A. Wynn, Jr.(d)
09-858-1	State v Oxendine (Criminal) <b>Decision:</b> Reversed and Remanded	Rockingham	Hunter, Jr. Donna Stroud(c)
09-806-1	Free Spirit Aviation v Rutherford Airport (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Rutherford	Geer
09-1465-1	Land v The Village Of Wesley Chapel, et al (Civil) <b>Decision:</b> Affirmed	Union	Hunter, Jr. Cheri Beasley(c)
09-488-1	Regions Bank v Baxley Commercial, et al (Civil) <b>Decision:</b> Affirmed	Wake	Stroud
09-674-1	State v Wright (Criminal) <b>Decision:</b> No Error	Wake	Geer
09-923-1	Amward Homes, Inc., et al v Town of Cary (Civil) <b>Decision:</b> Affirmed	Wake	Hunter, Jr. Barbara Jackson(d)
09-936-1	Crook v KRC Management Corp., et al (Civil) <b>Decision:</b> Vacated and remanded	Wake	Ervin, IV
09-262-1	State v Sargeant (Criminal) <b>Decision:</b> new trial	Watauga	Geer Samuel J. Ervin, IV(d)

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Docket #	Title	County	Judge
09-1529-1	Blackard Properties v Garcia (Civil) <b>Decision:</b> Vacated and Remanded	Alamance 08CVD2780	Jackson
10-251-1	In The Matter Of: D.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 05JA482	Steelman
10-167-1	In The Matters Of: H.A.B., et al (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Burke 08J22-25	Elmore
10-342-1	In The Matter Of: C.N.C.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Burke 07J162	Steelman
09-441-1	Little v NC Department of Environment (Civil) <b>Decision:</b> Affirmed	Cabarrus 06CVS3215	Geer
09-626-1	State v Gladden (Criminal) <b>Decision:</b> No Error	Cabarrus 05CRS2084 04CRS8967 04CRS12008 05CRS2087 04CRS9284 04CRS13160 04CRS8966 04CRS9285	Stephens
09-713-1	State v Windsor (Criminal) <b>Decision:</b> Affirmed in part; no prejudicial error in part	Catawba 05CRS56577	McGee
09-434-1	State v Archie (Criminal) <b>Decision:</b> No prejudicial error	Cleveland 06CRS57172	Geer
10-319-1	In The Matter Of: E.A.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cleveland 08JT203	Wynn, Jr.
09-1334-1	State v Harrison (Criminal) <b>Decision:</b> No Error	Cumberland 06CRS65715 09CRS2020-2022 06CRS67436 06CRS65710-13 09CRS2014-2018	Beasley
09-1479-1	State v Mitchell (Criminal) <b>Decision:</b> Reversed	Cumberland 03CRS55284	McGee
09-1575-1	State v White (Criminal) <b>Decision:</b> No Error	Cumberland 09CRS657 08CRS64728	Calabria
09-1618-1	Antonellis v Cumberland County Schools Bd. of Educ. (Civil) <b>Decision:</b> Affirmed	Cumberland 09CVS3727	Jackson
09-1694-1	Lee v Allstate Insurance Company (Civil) <b>Decision:</b> Reversed	Cumberland 09CVS2353	Bryant
09-578-1	Earp v Quinlan (Civil)	Durham 08CVS6391	Steelman

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	<b>Decision:</b> Affirmed in Part and Reversed in Part		
09-714-1	Farlow v Farlow (Civil)	Guilford 08CVS7623	Stephens
	<b>Decision:</b> Reversed in part; Dismissed in part		
09-1372-1	Graphic Packaging v Gilbertson (Civil)	Guilford 08CVS14296	Hunter, Jr.
	<b>Decision:</b> Affirmed		
09-1723-1	Bradley v Gay (Civil)	Halifax 08CVS68	Jackson
	<b>Decision:</b> Affirmed		
09-1204-1	State v Capote and Cruz (Criminal)	Hoke 08CRS51240-43 08CRS51236-39	McGee
	<b>Decision:</b> No error in part, remanded in part, and reversed in part		
09-1612-1	Gidco, Inc. v Country Lane, LLC (Civil)	Johnston 08CVS3771	Elmore
	<b>Decision:</b> Affirmed		
10-34-1	Draper, et al v Yelvington, et al (Civil)	Johnston 08SP448	Hunter, Jr.
	<b>Decision:</b> Dismissed		
09-1052-1	State v Williams (Criminal)	Lenoir 08CRS2061 08CRS51336-37	Beasley
	<b>Decision:</b> Reversed and ordered new trial in part and no error in part		
09-1453-1	David v Sossoman (Civil)	Macon 07CVS23	Hunter
	<b>Decision:</b> No Error		
09-1393-1	State v Smith (Criminal)	Martin 08CRS50271-72 08CRS1277	Jackson
	<b>Decision:</b> No Error		
09-1668-1	State v Scott (Criminal)	McDowell 08CRS50066	Martin
	<b>Decision:</b> No Error		
09-393-1	Pinkney v HMS Host USA, Inc. (Civil)	Mecklenburg 07CVS12928	Geer
	<b>Decision:</b> Affirmed		
09-555-1	State v Stewart (Criminal)	Mecklenburg 06CRS223676 06CRS223674	Stephens
	<b>Decision:</b> No Error		
09-1552-1	State v Davis (Criminal)	Mecklenburg 05CRS239736 05CRS245718	Wynn, Jr.
	<b>Decision:</b> new trial		
09-1711-1	Barfield, et al v Matos (Civil)	Mecklenburg 07CVS20233	Stephens
	<b>Decision:</b> Dismissed		
10-3-1	Harbor Baptist Church v City of Charlotte, et al (Civil)	Mecklenburg 09CVS5598	Elmore
	<b>Decision:</b> Affirmed		

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10-191-1	In The Matter Of: D.P., D.P., T.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg 06JT511-513	Hunter, Jr.
09-1100-1	Duckworth v SGL Carbon (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission 240103	Stephens
09-1527-1	Jacobs v Kaba Ilco Corporation (Civil) <b>Decision:</b> Dismissed	N.C. Industrial Commission 798617	Elmore
10-128-1	Falcon v N.C. Administrative Office Of The Courts (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission 766857	Jackson
09-545-1	Canady, et al v NC Coastal Res., et al (Civil) <b>Decision:</b> Affirmed	New Hanover 07CVS4295	Elmore
09-481-1	Fennell v Fennell (Civil) <b>Decision:</b> Reversed and Remanded	Pasquotank 05CVD235	Geer
09-1229-1	State v Slycord (Criminal) <b>Decision:</b> No Error	Randolph 07CRS8	Jackson
10-16-1	State v Wood (Criminal) <b>Decision:</b> No Error	Randolph 05CRS55173-74	Jackson
10-225-1	In The Matter Of: J.D.A. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 08JT22	Hunter, Jr.
10-407-1	In The Matter Of: E.K.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 09JT54	Ervin, IV
10-273-1	In The Matter Of: J.M. and J.J. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Robeson 02JA185 02JA06	Elmore
09-1059-1	Phillips v Phillips (Civil) <b>Decision:</b> Vacated and remanded	Rowan 04CVD1355	Jackson
09-1147-1	State v Ratliff (Criminal) <b>Decision:</b> Affirmed	Rutherford 08CRS701032	Steelman
09-1225-1	State v Jacobs (Criminal) <b>Decision:</b> No Error	Sampson 07CRS52445 07CRS52558 07CRS52440 07CRS52443	Jackson
09-1500-1	State v Chestang (Criminal) <b>Decision:</b> No prejudicial error in part; No error in part; Remanded for correction of clerical error	Sampson 08CRS51035 08CRS988	Jackson
09-1241-1	Guzman v Gore (Civil)	Stokes 08CVS860	Jackson

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	<b>Decision:</b> Affirmed		
10-277-1	In The Matter Of: Z.M.S. (Juvenile - 3.1)	Surry 07J83	Ervin, IV
	<b>Decision:</b> Vacated and remanded		
09-1210-1	Owen, et al v Eubanks, et al (Civil)	Transylvania 08CVS334	Elmore
	<b>Decision:</b> Affirmed		
09-1385-1	Rain Tree v Bradford (Civil)	Transylvania 02CVD396	Steelman
	<b>Decision:</b> Affirmed		
09-1025-1	State v Blue Ridge Tank Company, Inc. (Civil)	Wake 09CVS426 08CVS11186	Steelman
	<b>Decision:</b> Dismissed		
09-1196-1	State v Matos (Criminal)	Wake 08CRS175	Elmore
	<b>Decision:</b> No Error		
09-1644-1	Daniel, et al v Gullzar, et al (Civil)	Wake 07CVS17159	Calabria
	<b>Decision:</b> Affirmed in part; vacated and remanded in part		
10-282-1	Federated Financial Corporation Of America v Rowell (Civil)	Wake 08CVD9162	Wynn, Jr.
	<b>Decision:</b> Dismissed in part; affirmed in part		