

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 7 SEPTEMBER 2004)
(MANDATE 27 SEPTEMBER 2004)

Docket #	Title	County	Judge
03-452-1	State v Gattis (Criminal) Decision: No error	Alamance	Geer
03-904-1	Burlington v Boney Publishers, Inc. (Civil) Decision: Reversed	Alamance	Bryant
03-629-1	In the Matter of: J.A.O. (Juvenile - 3.1) Decision: Reversed and remanded	Buncombe	Timmons-Goodson
03-1286-1	In Re: T.B.K. (Juvenile - 3.1) Decision: Reversed and remanded	Cabarrus	Thornburg
03-1019-1	State v Trent (Criminal) Decision: New trial	Caswell	McCullough
03-1414-1	King v Owen (Civil) Decision: Affirmed	Cumberland	Steelman
03-1082-1	Currituck Assoc Residential v Hollowell (Civil) Decision: Affirmed	Dare	Timmons-Goodson
03-1085-1	Shallowbag Bay Dev v Currituck Assoc (Civil) Decision: Affirmed	Dare	Timmons-Goodson
03-1296-1	Wood v BD&A Construction (Civil) Decision: Affirmed	Dare	Thornburg
03-696-1	In the Matter of: A.L. (Criminal) Decision: Dismissed	Durham	Hudson
03-1334-1	State v Hines (Criminal) Decision: No error as to defendant's convictions in case numbers 01CRS55914, 02CRS12603 and 02CRS12604. Vacate the judgment for aggravated assault on a handicapped person, case number 01CRS22179	Forsyth	Thornburg
03-760-1	State v Stafford (Criminal) Decision: No error in trial, vacate and remand for resentencing	Gaston	Timmons-Goodson
03-1369-1	State v Allen (Criminal) Decision: No error in trial; remanded for resentencing	Gaston	Bryant
03-750-1	Lincoln v Bueche (Civil) Decision: Affirmed in part, and reversed in part	Guilford	Steelman
03-953-1	Wood v McDonald's Corp. (Civil) Decision: Reverse in part and affirm in part	Guilford	McCullough

Docket #	Title	County	Judge
03-1026-1	NC DOT v Stagecoach Village (Civil) Decision: Dismissed	Guilford	Wynn, Jr.
03-1151-1	Diaz v NC DHHS-DSS & Med. Assistance (Civil) Decision: Affirmed	Guilford	McCullough
03-1382-1	State v Bell (Criminal) Decision: New trial as to kidnapping charge; No error as to the convictions for assault with a dangerous weapon inflicting serious injury and robbery with a dangerous weapon	Guilford	Steelman
03-1183-1	Lee v Tolson (Civil) Decision: Affirmed	Harnett	Elmore
03-969-1	Hill v Hill (Civil) Decision: Affirmed in part, reversed in part, and remanded	Henderson	Calabria
03-595-1	Williams v NC DENR, Div. Coastal Mgmt. (Civil) Decision: Reversed and remanded	Hyde	Steelman
02-1757-1	Woolard v Davenport (Civil) Decision: Reversed	Martin	Elmore
03-1378-1	Brown v King (Civil) Decision: Affirmed	Mecklenburg	Hudson
03-1032-1	Vogler v Branch Erections Co. (Civil) Decision: Reversed and remanded	N.C. Industrial Commission	Timmons-Goodson
03-1349-1	Coe v Haworth Wood Seating (Civil) Decision: Affirmed	N.C. Industrial Commission	Hudson
03-776-1	State v Speight (Criminal) Decision: No prejudicial error in trial; remanded for resentencing	Pitt	Hunter
03-852-1	State v Barnhill (Criminal) Decision: Reversed and remanded	Pitt	Steelman
03-922-1	In Re: Appeal of Battle Estate (Civil) Decision: Affirmed	Property Tax Commission	Calabria
03-1357-1	In Re: Appeal of Pavillon International (Civil) Decision: Affirmed	Property Tax Commission	Calabria
03-1552-1	State v Dewberry (Criminal) Decision: No error	Rutherford	Steelman
03-914-1	New Covenant Worship Ctr. v Wright (Civil) Decision: Affirmed in part and reversed in part	Scotland	Wynn, Jr.
03-1042-1	State v Rawlins (Criminal) Decision: No error	Wake	Wynn, Jr.
03-1144-1	Tejal Vyas v Carriage Park Ltd. P'ship (Civil) Decision: Affirmed	Wake	Tyson

**IN THE
COURT OF APPEALS**

CASES REPORTED WITHOUT PUBLISHED OPINIONS

**(FILED 7 SEPTEMBER 2004)
(MANDATE 27 SEPTEMBER 2004)**

Docket #	Title	County	Judge
03-1178-1	State v Paul (Criminal)	Alamance 02CRS57670 02CRS57668 02CRS57669	Hudson
	Decision: No error		
03-954-1	Brown v Dodson (Civil)	Buncombe 01CVS4642	Calabria
	Decision: Affirmed in part, reversed in part, and remanded		
03-1252-1	State v Johnson (Criminal)	Buncombe 02CRS13685 02CRS55609	Calabria
	Decision: No error		
03-497-1	State v Adams (Criminal)	Cabarrus 02CRS51770	Timmons-Goodson
	Decision: Affirmed		
03-912-1	State v Satterfield (Criminal)	Cabarrus 00CRS8794	Geer
	Decision: Affirmed		
03-23-2	Luhmann v Hoenig (Civil)	Carteret 00CVS691	Tyson
	Decision: No error		
03-223-1	State v Battle (Criminal)	Craven 02CRS54511	Timmons-Goodson
	Decision: No error		
03-529-1	In the Matter of: S.E. and E.E. (Juvenile - 3.1)	Cumberland 01J468 01J469	Timmons-Goodson
	Decision: Affirmed		
03-1451-1	State v Jones & Griffin (Criminal)	Currituck 02CRS50698 02CRS50699	Hudson
	Decision: New trial		
03-985-1	State v Garrett (Criminal)	Dare 02CRS51103 02CRS51105	McGee
	Decision: No error		
03-793-1	State v Blackwell (Criminal)	Durham 97CRS6421 97CRS6390 97CRS6391	Wynn, Jr.
	Decision: No prejudicial error in trial; remanded for resentencing		
03-1075-1	Danai v Danai (Civil)	Durham 03CVD824	McCullough
	Decision: Affirm		
03-1125-1	Council v Slack (Civil)	Durham 01CVS3619	Bryant
	Decision: Reversed and remanded		
03-1171-1	Morris v Thomas (Civil)	Durham 02CVS4206	Hudson
	Decision: Affirmed		
03-329-1	State v Douglas (Criminal)	Forsyth 01CRS35350 01CRS59100	Timmons-Goodson
	Decision: No error		
03-943-1	State v Wagner (Criminal)	Forsyth 02CRS31746 02CRS31747	Steelman
	Decision: No error		

Docket #	Title	County	Judge
03-976-1	State v Jones (Criminal) Decision: No error	Forsyth 00CRS59355 01CRS52	McGee
03-426-1	State v McClinton (Criminal) Decision: Affirmed	Guilford 02CRS84204	Timmons-Goodson
03-1039-1	State v Day (Criminal) Decision: No error	Guilford 01CRS95581 01CRS95582	Geer
03-1264-1	Old Republic Surety v Reliable Housing (Civil) Decision: Affirmed as modified	Guilford 00CVS8477	Calabria
03-1352-1	Caudill v Greensboro BOA (Civil) Decision: Vacated and remanded	Guilford 03CVS5259	Thornburg
03-1055-1	Elliott v Halifax County (Civil) Decision: Affirmed	Halifax 01CVS1822	McGee
03-1118-1	Manning v Halifax County (Civil) Decision: Affirmed	Halifax 02CVS3	McGee
03-1240-1	State v Frederick (Criminal) Decision: No error	Harnett 00CRS53140 00CRS53197 00CRS10999 00CRS53155 00CRS53142 00CRS11000 00CRS53157	Steelman
03-1511-1	State v Merritt (Criminal) Decision: No error	Harnett 02CRS55271 02CRS6702 02CRS55269	Thornburg
03-970-1	Hill v Hill (Civil) Decision: Affirmed	Henderson 97CVS725	Calabria
02-1619-1	Visual Outdoor Adver. v Sanford BOA (Civil) Decision: Affirmed	Lee 02CVS228	Timmons-Goodson
03-496-1	State v Tabor (Criminal) Decision: Affirmed	Mecklenburg 00CRS43936	Timmons-Goodson
03-768-1	Anderson v Lackey (Civil) Decision: Dismissed in part, affirmed in part	Mecklenburg 92CVD8015	Timmons-Goodson
03-1101-1	Miller v Owens (Civil) Decision: Affirmed	Mecklenburg 01CVS23195	Timmons-Goodson
03-1354-1	State v Matthews (Criminal) Decision: No error	Mecklenburg 99CRS22864 99CRS22862 99CRS25295 99CRS25295 99CRS22864 99CRS22862	Steelman
03-456-1	Cook v Watson Electrical Constr. Co. (Civil)	N.C. Industrial Commission IC926481	Elmore

Docket #	Title	County	Judge
	Decision: Reversed and remanded		
03-897-1	McCollum v Atlas Van Lines (Civil)	N.C. Industrial Commission IC007481	McGee
	Decision: Affirmed		
03-1221-1	Wingfield v NC Central University (Civil)	N.C. Industrial Commission IC956523	Hudson
	Decision: Affirmed		
03-1321-1	McCorquodale v Franklin Baking Co. (Civil)	N.C. Industrial Commission IC868982	McGee
	Decision: Affirmed		
03-938-1	State v Huckabee (Criminal)	New Hanover 02CRS10602 02CRS15116 02CRS15116 02CRS10603 02CRS10604 02CRS10603 02CRS10602 02CRS10604	Wynn, Jr.
	Decision: Affirmed		
03-819-1	State v Alford (Criminal)	Robeson 96CRS14256 96CRS14257	Steelman
	Decision: New trial		
03-470-1	State v Hilton (Criminal)	Rockingham 02CRS5113	Timmons-Goodson
	Decision: Affirmed		
03-1201-1	State v Robinson (Criminal)	Sampson 03CRS51716 03CRS1393 03CRS3972	Thornburg
	Decision: No error in part. Arrest judgment as to felonious assault inflicting serious bodily injury, case no. 03CRS3972		
03-1121-1	State v Ore (Criminal)	Stokes 03CRS50416 03CRS50402 00CRS50304 03CRS50423 03CRS50413 03CRS50398 00CRS50278 03CRS50427 03CRS50417 03CRS50403 03CRS50257 03CRS50424 03CRS50415 03CRS50399 00CRS50279 03CRS50418 03CRS50412 03CRS50395 03CRS50426	Geer
	Decision: Dismissed		
03-424-1	State v Russell (Criminal)	Wake 02CRS30639	Timmons-Goodson
	Decision: No error		
03-974-1	JPG v Dick Beck Professional Marketing (Civil)	Wake 02CVS13138	Calabria
	Decision: Reversed		
03-984-1	Carr v Wake Medical Center (Civil)	Wake 02CVS10646	Hunter
	Decision: Dismissed		
03-1269-1	Herget v Ki Networks, Inc. (Civil)	Wake 02CVS7661	Wynn, Jr.
	Decision: Affirmed in part, vacated in part		
03-1306-1	In the Matter of: J.D.G. (Criminal)	Wake 02J201	Elmore
	Decision: Appeal dismissed		

Docket #	Title	County	Judge
03-1379-1	Progress Synfuel Holdings v U.S. Global (Civil)	Wake 03CVS5113	McGee
Decision: Plaintiff's appeal is dismissed			