

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 OCTOBER 2004)**  
**(MANDATE 25 OCTOBER 2004)**

Docket #	Title	County	Judge
03-1022-1	Kemp v Spivey (Civil) <b>Decision:</b> Reversed and remanded for further proceedings	Columbus	Bryant
03-257-1	State v Young (Criminal) <b>Decision:</b> No error in trial, vacate and remand for resentencing	Forsyth	Elmore
03-483-1	White v Consolidated Planning, Inc. (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Forsyth	Geer
03-1071-1	State v Harris (Criminal) <b>Decision:</b> New trial	Granville	McCullough
03-1324-1	Draughon v Harnett County BOE (Civil) <b>Decision:</b> Affirmed	Harnett	Steelman
03-1325-1	Draughon v Harnett County BOE (Civil) <b>Decision:</b> Affirmed	Harnett	Steelman
02-1379-1	Eckard v Smith (Civil) <b>Decision:</b> Affirmed	Iredell	Bryant
03-1001-1	In the Matter of: S.B. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Orange	Elmore
03-1239-1	In the Matter of: S.B. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Orange	Elmore
03-1063-1	WMS, Inc. v Weaver (Civil) <b>Decision:</b> Reversed in part and affirmed in part	Wake	Geer

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 5 OCTOBER 2004)  
(MANDATE 25 OCTOBER 2004)**

Docket #	Title	County	Judge
03-1612-1	State v Vinson (Criminal) <b>Decision:</b> Appeal dismissed	Alamance 01CRS54464	Timmons-Goodson
04-174-1	State v Bolton (Criminal) <b>Decision:</b> Remand for resentencing	Alamance 03CRS53676	Tyson
03-1436-1	State v Gray (Criminal) <b>Decision:</b> No error	Beaufort 02CRS3952 02CRS3953	McCullough
04-558-1	State v Banner (Criminal) <b>Decision:</b> Affirmed	Caldwell 03CR03198	Tyson
03-1547-1	State v Abrams (Criminal) <b>Decision:</b> No error	Catawba 01CRS58884	Steelman
04-410-1	State v Marsh (Criminal) <b>Decision:</b> Vacated and remanded	Chatham 95CRS4591	Tyson
04-167-1	State v McMillan (Criminal) <b>Decision:</b> No error	Cumberland 02CRS53868	Tyson
03-1664-1	In the Matter of: A.R.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Dare 02J19	Levinson
03-1350-1	State v Wright (Criminal) <b>Decision:</b> Affirmed	Forsyth 02CRS52402	Timmons-Goodson
04-156-1	State v Mabry (Criminal) <b>Decision:</b> Affirmed	Forsyth 02CRS61229	Tyson
03-1289-1	State v Spencer (Criminal) <b>Decision:</b> No error	Gaston 02CRS67467 02CRS67461 02CRS67462	Levinson
04-352-1	State v Setzer (Criminal) <b>Decision:</b> No error	Gaston 99CRS50000	Tyson
03-427-1	Noyola v Hytrol Conveyor Co., Inc. (Civil) <b>Decision:</b> Affirmed	Guilford 01CVS6366	Elmore
03-1232-1	Guilford County o/b/o Ray v Williams (Civil) <b>Decision:</b> Reversed	Guilford 03CVD5697	Timmons-Goodson
03-1408-1	Biemann & Rowell v Donohoe Companies (Civil) <b>Decision:</b> Affirmed	Guilford 99CVS9132	Levinson
03-1606-1	State v Hardee (Criminal) <b>Decision:</b> No error	Harnett 02CRS52994	Timmons-Goodson

Docket #	Title	County	Judge
03-1520-1	State v McClure (Criminal) <b>Decision:</b> No error	Jackson 03CRS390 03CRS396	Steelman
03-1621-1	In the Matter of: P.P. (Criminal) <b>Decision:</b> Dismissed	Lee 03J36	Tyson
03-1442-1	In Re: M.R.M.,M.A.K.,J.S.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	McDowell 00J95 00J93 00J94	Timmons-Goodson
03-1288-1	In the Matter of: W.G.C. (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 01J781	McCullough
04-388-1	State v Mungo (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 00CRS21058	Tyson
04-134-1	State v Scott (Criminal) <b>Decision:</b> Affirmed	Montgomery 01CRS52548 02CRS3135	Tyson
03-1435-1	Raven v Illinois Toolworks (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC117229	Timmons-Goodson
04-270-1	State v Southward (Criminal) <b>Decision:</b> No error	New Hanover 02CRS56904 02CRS15128	Tyson
03-1141-1	State v Lowry (Criminal) <b>Decision:</b> No error	Onslow 01CRS58395	McCullough
03-1638-1	State v Parrish (Criminal) <b>Decision:</b> No error	Pender 03CRS51882	Timmons-Goodson
03-1469-1	Hall v Integrative Chiropractic Care (Civil) <b>Decision:</b> Affirmed	Pitt 02CVS3357	Timmons-Goodson
04-321-1	State v Adams (Criminal) <b>Decision:</b> Remanded for entry of findings	Pitt 01CRS52648 01CRS59618 01CRS51758 01CRS55208 01CRS51760 01CRS59617	Tyson
03-1532-1	Hardister v Dean (Civil) <b>Decision:</b> Affirmed	Randolph 99CVD2045	Steelman
04-202-1	State v Cox (Criminal) <b>Decision:</b> No error	Rowan 02CRS54906	Tyson
04-479-1	State v Brown (Criminal) <b>Decision:</b> No error	Rowan 03CRS50437 03CRS50435 03CRS50438 03CRS50436 03CRS50439	Tyson
04-408-1	State v Furr (Criminal)	Stanly 97CRS7197 95CRS6588 97CRS7196	Tyson

Docket #	Title	County	Judge
	<b>Decision:</b> No error		
04-164-1	In the Matter of: S.L.D. (Criminal)	Stokes 00J116	Tyson
	<b>Decision:</b> Affirmed		
04-462-1	State v Burdette (Criminal)	Stokes 00CRS51692 00CRS51653 00CRS51690 00CRS51651 00CRS51693 00CRS51683 00CRS51691 00CRS51652 00CRS51684	Tyson
	<b>Decision:</b> Affirmed in part, remanded in part		
04-59-1	State v Monk (Criminal)	Wake 02CRS100892 02CRS100893	Tyson
	<b>Decision:</b> No Prejudicial Error at Trial; Sentence Vacated and Remanded for Resentencing		
04-269-1	State v Bailey (Criminal)	Wake 03CRS69	Tyson
	<b>Decision:</b> Vacated and remanded for entry of judgment for assault with a deadly weapon and appropriate sentencing		
04-298-1	State v Phelps (Criminal)	Washington 02CRS50879	Tyson
	<b>Decision:</b> No error		
03-1657-1	Davis v Davis (Civil)	Wilkes 01CVD1158	Tyson
	<b>Decision:</b> Affirmed		
04-52-1	State v Lytle (Criminal)	Wilson 03CRS51244 03CRS51245	Tyson
	<b>Decision:</b> Affirmed		