

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 OCTOBER 2004)**  
**(MANDATE 8 NOVEMBER 2004)**

Docket #	Title	County	Judge
03-1590-1	Wood v Hollingsworth (Civil) <b>Decision:</b> Reversed and remanded	Cabarrus	Timmons-Goodson
03-1618-1	State v Robertson (Civil) <b>Decision:</b> Reversed	Forsyth	Levinson
03-1189-1	In the Matter of: W.H. (Criminal) <b>Decision:</b> Reversed and remanded	Guilford	McCullough
03-1490-1	In the Matter of: D.L. & A.L. (Juvenile - 3.1) <b>Decision:</b> Reversed in part; Reversed and remanded in part	Iredell	Tyson
03-1202-1	J&M Aircraft v Johnston Cty Airport (Civil) <b>Decision:</b> Reversed and remanded	Johnston	Elmore
03-599-1	First Union National Bank v Brown (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Mecklenburg	Geer
03-1157-1	Donoghue v NC DOC (Civil) <b>Decision:</b> Affirmed	Mecklenburg	McCullough
03-1422-1	Charlotte Eastland Mall v Sole Survivor (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Levinson
03-1424-1	State v Roberts (Criminal) <b>Decision:</b> No error	Mecklenburg	Hunter
03-1215-1	Alexander v Wal-Mart Stores (Civil) <b>Decision:</b> Reversed in part and remanded	N.C. Industrial Commission	Thornburg
03-1280-1	Adams v M.A. Hanna Co. (Civil) <b>Decision:</b> Vacated and remanded for further proceedings	N.C. Industrial Commission	Hudson
04-45-1	Sisk v Tar Heel Capital Corp (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
04-57-1	Bass v Morganite, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
03-1410-1	State v Robinson (Criminal) <b>Decision:</b> No error	Nash	Timmons-Goodson
03-1555-1	State v Fuller (Criminal) <b>Decision:</b> No error	Stanly	Tyson
03-1649-1	Ward v Inscoe (Civil) <b>Decision:</b> Affirmed	Vance	Tyson

Docket #	Title	County	Judge
03-785-1	State v Lewis (Criminal) <b>Decision:</b> New trial	Wake	Elmore
03-1655-1	Privett v Yarborough (Civil) <b>Decision:</b> Affirmed	Warren	Hudson
03-884-1	Gosai v Abeers Realty & Dev Mktg, Inc (Civil) <b>Decision:</b> Affirmed	Watauga	Elmore

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04-12-1	In the Matter of: S.C.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alamance 03J58	Levinson
04-126-1	In the Matter of: P.R.G. (Criminal) <b>Decision:</b> Vacated	Alamance 01J84	Levinson
03-1537-1	State v Lewis (Criminal) <b>Decision:</b> Affirmed	Beaufort 00CRS6153	Wynn, Jr.
04-81-1	State v Finch (Criminal) <b>Decision:</b> No error in part; arrest judgment in part; and remand for resentencing	Beaufort 01CRS53111,03CRS639	Levinson
04-274-1	State v Herndon (Criminal) <b>Decision:</b> Remanded for resentencing in part; remanded for correction of a clerical error in part	Beaufort 02CRS51738,02CRS51732,0- 2CRS51737	Wynn, Jr.
03-1463-1	In the Matter of: R.A.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 03J1	Timmons-Goodson
04-180-1	State v Stuart (Criminal) <b>Decision:</b> No error	Chatham 00CRS50783	Wynn, Jr.
03-1432-1	State v James (Criminal) <b>Decision:</b> Dismissed	Cleveland 02CRS55196	Timmons-Goodson
04-432-1	State v Petty (Criminal) <b>Decision:</b> No error	Cleveland 02CRS55098	Wynn, Jr.
04-158-1	State v Johnson (Criminal) <b>Decision:</b> No error	Craven 02CRS57660	Levinson
03-1217-1	In the Matter of: M.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cumberland 94J767	Timmons-Goodson
04-80-1	State v Rowe (Criminal) <b>Decision:</b> No error	Davidson 03CRS3417	Levinson
03-1132-1	State v Brandon (Criminal) <b>Decision:</b> No error	Gaston 02CRS60315	Calabria
03-1512-1	State v Holland (Criminal) <b>Decision:</b> No error	Gaston 02CRS12228,02CRS60314	Calabria
03-1662-1	State v Sanders (Criminal) <b>Decision:</b> Affirmed	Gaston 03CRS5607	Levinson
03-1610-1	State v Clark (Criminal) <b>Decision:</b> No error	Guilford 02CRS87132	Levinson

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03-1645-1	State v Maynard (Criminal) <b>Decision:</b> No error	Guilford 02CRS95669,02CRS95670	Levinson
04-84-1	State v Byers (Criminal) <b>Decision:</b> No error	Guilford 03CRS24189,03CRS73501	Levinson
03-1484-1	Bryson v Cooper (Civil) <b>Decision:</b> Affirmed	Haywood 03CVS552	Hunter
03-1534-1	State Farm Mut Auto Ins Co v Lockwood (Civil) <b>Decision:</b> Reversed and remanded	Johnston 02CVS506	Martin
03-1427-1	State v Tillman (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS22667,01CRS34925,0-1CRS36757	Hunter
03-1563-1	State v Mitchell (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS251843,02CRS251844	Levinson
03-1690-1	VT, Inc. v Basiliros Dodge (Civil) <b>Decision:</b> Affirmed	Mecklenburg 03CVD2296	Levinson
04-98-1	State v Brooks (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS254023,02CRS254024	Levinson
04-122-1	State v Ninan (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS207683,02CRS20691-0,02CRS207684,02CRS206911	Wynn, Jr.
04-173-1	State v Steele (Criminal) <b>Decision:</b> No error; remanded for correction of clerical error in judgment	Mecklenburg 02CRS66138,02CRS66600	Levinson
04-253-1	In the Matter of: D.M.R. (Criminal) <b>Decision:</b> Dismissed	Mecklenburg 03J355	Levinson
04-389-1	State v Reid (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 01CRS25268	Wynn, Jr.
04-430-1	In Re: A.D.H. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Mecklenburg 03J778	Wynn, Jr.
03-1375-1	Sherrill v Carolina Cable Contr's, Inc (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC737180	Thornburg
03-1659-1	Brown v Wilkes County Sheriff's Dept. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC801090,IC828950	Calabria
04-28-1	State v Nixon (Criminal)	New Hanover 02CRS15411,02CRS15408,0-2CRS15409	Wynn, Jr.

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	<b>Decision:</b> No error		
04-169-1	State v Toster (Criminal)	New Hanover 02CRS10769	Wynn, Jr.
	<b>Decision:</b> No error		
03-1460-1	State v Boswell (Criminal)	Onslow 02CRS58831,02CRS58832	Per Curiam
	<b>Decision:</b> No error		
03-1678-1	State v Clark (Criminal)	Onslow 02CRS56367,02CRS56365,0- 2CRS56470,02CRS56366	Levinson
	<b>Decision:</b> No error		
03-951-1	State v Jones (Criminal)	Orange 02CRS52506	Calabria
	<b>Decision:</b> No error		
04-141-1	State v Dorman (Criminal)	Orange 03CRS51200,03CRS50720,0- 3CRS51197	Wynn, Jr.
	<b>Decision:</b> Affirmed		
03-1714-1	Mueller v Brantley (Civil)	Pitt 02CVS3034	Levinson
	<b>Decision:</b> Dismissed		
04-306-1	State v Delk (Criminal)	Randolph 99CRS130,99CRS131	Wynn, Jr.
	<b>Decision:</b> In the case number 99CRS130, Defendant's conviction of common law robbery, we find No Error. In the case number 99CRS131, Defendant's conviction of habitual felon, is Reversed and remanded.		
04-232-1	State v Smith (Criminal)	Richmond 01CRS53392	Wynn, Jr.
	<b>Decision:</b> Affirmed		
03-600-1	State v Odom (Criminal)	Robeson 99CRS201	Elmore
	<b>Decision:</b> No error		
03-1637-1	State v Hines (Criminal)	Rutherford 99CRS2126	Levinson
	<b>Decision:</b> No error		
04-136-1	State v Beltran (Criminal)	Surry 01CRS51244,01CRS51248,0- 1CRS51241,01CRS51246,01- CRS51243,01CRS51247	Wynn, Jr.
	<b>Decision:</b> Reversed and remanded		
03-1666-1	State v Dockery (Criminal)	Union 01CRS55574,01CRS55566,0- 2CRS6462,01CRS55571	Wynn, Jr.
	<b>Decision:</b> No error		
03-769-1	State v Rogers (Criminal)	Wake 02CRS74191	Hudson
	<b>Decision:</b> No error		
04-46-1	State v Cabrera (Criminal)	Wake 02CRS42470,02CRS42468,0- 2CRS42472,02CRS42469	Wynn, Jr.
	<b>Decision:</b> No error in part; reversed and remanded in part		
04-47-1	State v Richards (Criminal)	Wake 01CRS56561	Tyson
	<b>Decision:</b> Dismissed		

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04-159-1	State v Styron (Criminal)	Wake 00CRS77668,00CRS8311,00- CRS8715,00CRS8312,00CRS8716	Levinson
	<b>Decision:</b> No error		
04-395-1	State v Brown (Criminal)	Wake 99CRS78143	Wynn, Jr.
	<b>Decision:</b> No error		
03-1199-1	State v Dawson (Criminal)	Wayne 02CRS8953,02CRS55893	Geer
	<b>Decision:</b> No error		
04-75-1	State v Lane (Criminal)	Wayne 01CRS58651,02CRS621	Wynn, Jr.
	<b>Decision:</b> No error		
03-1703-1	State v Andrade (Criminal)	Wilkes 03CRS2952,03CRS2968	Levinson
	<b>Decision:</b> Affirmed		
04-336-1	American Tire Dist. v Ramey (Civil)	Wilson 03CVD376	Wynn, Jr.
	<b>Decision:</b> Affirmed		