IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 21 DECEMBER 2004)
(MANDATE 10 JANUARY 2005)

Docket #	Title	County	Judge
03-1298-1	Eddings v Southern Orthopaedic (Civil) **Decision:** We affirm in part and reverse in part	Buncombe	Bryant
03-1641-1	Dalgewicz v Dalgewicz (Civil) **Decision:** Affirmed in part; reversed and remanded	Buncombe	Timmons-Goodson
03-1191-1	Bridges v Oates (Civil) **Decision:** Reversed and remanded for further proceedings in accordance with this opinion	Cleveland	Hunter
03-1272-1	State v Simmons (Criminal) **Decision:** No error	Cumberland	Elmore
03-1531-1	State v Randle (Criminal) **Decision:** No error	Cumberland	Hunter
04-185-1	Miller v Lillich (Civil) **Decision:** Affirmed	Cumberland	Elmore
03-1372-1	Robertson v Robertson (Civil) **Decision:** Reversed in part and remanded	Davie	Calabria
04-7-1	Wilkerson v Norfolk Southern Railway (Civil) **Decision:** Vacated and remanded	Durham	Elmore
04-15-1	Skinner v Quintiles Transnational Corp. (Civil) **Decision:** Reversed and remanded	Durham	Thornburg
04-580-1	Production Systems v Amerisure, et al (Civil) **Decision:** Affirmed	Guilford	Levinson
03-1689-1	State v Joyner (Criminal) **Decision:** No prejudicial error. Affirmed.	Iredell	Wynn, Jr.
03-1593-1	Smith v Young Moving & Storage, Inc. (Civil) **Decision:** Affirmed	Johnston	Hunter
02-567-2	Lange v Lange (Civil) **Decision:** Reversed and remanded	Mecklenburg	Steelman
03-1457-1	State v McVay (Criminal) **Decision:** No error	Mecklenburg	McCullough
04-166-1	Robertson v Charlotte Zoning Board (Civil) **Decision:** Affirmed	Mecklenburg	Tyson
03-1472-1	Holroyd v Montgomery Cty. (Civil) **Decision:** Affirmed	Montgomery	Hunter

Docket #	Title	County	Judge
03-1134-1	Barbour v Regis Corp. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Hunter
03-1447-1	Lewis v NC DOC (Civil) **Decision:** Affirmed	N.C. Industrial Commission	McGee
03-1475-1	Goforth v K-Mart Corporation (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Wynn, Jr.
03-1677-1	Aboagwa v Raleigh Lions Clinic (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Wynn, Jr.
03-1688-1	Craven v VF Corp. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Wynn, Jr.
03-1526-1	State v Spellman (Criminal) **Decision:** No error in part; remanded in part	Nash	Timmons-Goodson
03-1453-1	VisionAir, Inc. v James (Civil) **Decision:** Affirmed	New Hanover	Wynn, Jr.
04-175-1	Indian Rock Association v Ball (Civil) **Decision:** Affirmed	Northampton	Wynn, Jr.
03-1711-1	Parker v Willis (Civil) **Decision:** Reversed	Pender	Thornburg
03-1562-1	Hayes v Town of Fairmont (Civil) **Decision:** Affirmed	Robeson	Thornburg
03-1421-1	State v Moore (Criminal) **Decision:** No error	Rockingham	McGee
03-1353-1	State v Carter (Criminal) **Decision:** 03CR54017, Count 1, Breaking and or Entering-Affirmed. 03CR54017, Count 2, Felony Larceny-Affirmed. 03CR54017, Count 3, Possession of Stolen Goods/Property-Judgment arrested.	Rowan	Geer
03-1364-1	State v Jeffery (Criminal) **Decision:** Affirmed; remanded for resentencing	Scotland	McGee
03-1423-1	Adams v Bank United of Texas FSB (Civil) **Decision:** Reversed and remanded for further proceedings	Wake	Hunter
03-1554-1	Mosley v WAM, Inc. (Civil) **Decision:** Affirmed	Wake	Wynn, Jr.
04-441-1	Kelly v Kelly (Civil) **Decision:** Affirmed	Wake	Tyson
03-1444-1	Beech Mountain Vacations v New York Fin (Civil) **Decision:** Reversed	Watauga	Wynn, Jr.
04-1-1	Advanced Wall Systems v Highlande Bldrs (Civil) **Decision:** Affirmed	Watauga	Wynn, Jr.

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Docket #	Title	County	Judge
03-1524-1	State v Anderson (Criminal)	Alamance 02CRS55447	Calabria
	Decision: No error		
03-1564-1	In the Matter of: T.D.C. (Juvenile - 3.1)	Brunswick 02J210	McGee
	Decision: Affirmed		
03-1605-1	In the Matter of: M.K. (Juvenile - 3.1)	Brunswick 02J136	Calabria
	Decision: Affirmed		
03-1225-1	Laird v Carroll (Civil)	Buncombe 00CVD6405	Geer
	Decision: Affirmed		
03-1701-1	In the Matter of: C.D.M. & J.A.F.D. (Juvenile - 3.1)	Buncombe 03J27,03J28	Wynn, Jr.
	Decision: Affirmed		
04-13-1	In the Matter of: E.L. (Juvenile - 3.1)	Buncombe 02J291	McGee
	Decision: Affirmed		
04-235-1	State v Becoats (Criminal)	Buncombe 03CRS6967,03CRS53458,03CRS6965,03CRS53456,03IFS6079,03CRS6966,03CRS53457	Steelman
	Decision: No error		
04-428-1	Black v Hamrick (Civil)	Buncombe 03CVS2210	Timmons-Goodson
	Decision: Vacated		
04-569-1	In Re: D.C. & M.L. (Juvenile - 3.1)	Buncombe 02J77	Steelman
	Decision: Affirmed		
04-49-1	Southern Investment Prop. v Watson (Civil)	Burke 02CVS1538	Bryant
	Decision: Affirm		
03-1383-1	C.F. Little Dev. v NC Natural Gas (Civil)	Cabarrus 01CVS2068	Geer
	Decision: Affirmed		
04-405-1	In Re: T.H. & T.H. (Juvenile - 3.1)	Cabarrus 02J217,02J218	Thornburg
	Decision: Affirmed in part; reversed and remanded in part		
04-85-1	State v Cornett (Criminal)	Catawba 01CRS51928	McGee
	Decision: No error		
04-212-1	State v Hacker (Criminal)	Craven 03CRS53131	Steelman
	Decision: No prejudicial error; remanded for correction of clerical error in judgment		
03-1492-1	In Re: H.D. & J.B. (Juvenile - 3.1)	Cumberland 02J255,02J256	Hunter
	Decision: Reversed and vacated in part; affirmed in part		
03-1694-1	State v Johnson (Criminal)	Cumberland 02CRS53465	Wynn, Jr.

Docket #	Title	County	Judge
	Decision: Affirmed		
04-606-1	State v Chance (Criminal)	Cumberland 02CRS54074	Steelman
	Decision: No error		
03-1719-1	Cunningham v Sams (Civil)	Davidson 01CVD3362	Wynn, Jr.
	Decision: Affirmed		
04-99-1	Lanier v Lanier (Civil)	Duplin 01SP42	Thornburg
	Decision: Affirmed		
03-1585-1	State v Clayton (Criminal)	Durham 02CRS40671	Steelman
	Decision: No error		
03-1320-1	State v Patrick (Criminal)	Forsyth 01CRS62182,01CRS40375,-02CRS20683 02CRS20683,01CRS62182,-01CRS40375	Geer
	Decision: New trial in part, no error in part, and remand for resentencing		
03-1674-1	State v Manning (Criminal)	Forsyth 02CRS58759,02CRS26859,-02CRS58703	Thornburg
	Decision: No error		
04-437-1	State v Myers (Criminal)	Forsyth 02CRS62914	Steelman
	Decision: No error		
03-1394-1	Norfolk Southern RR v Wilson Paint (Civil)	Gaston 99CVS1538	Elmore
	Decision: Affirmed		
04-440-1	City of Gastonia v Hayes (Civil)	Gaston 01CVS2343	Steelman
	Decision: Reversed		
03-1367-1	Seaboard Container v Four Seasons Envtl (Civil)	Guilford 02CVS10097	Hudson
	Decision: Affirmed in part, dismissed in part		
03-1452-1	State v Williams (Criminal)	Guilford 01CRS103488,01CRS1034-85,01CRS103483,01CRS10-3489,01CRS103487,01CRS-103484,01CRS103488,01C-RS103486,01CRS103483,0-1CRS103490,01CRS10348-7,01CRS103485,01CRS103-482,01CRS103492,01CRS1-03489,01CRS103486,01CR-S103484,01CRS103490	McCullough
	Decision: No error		
04-242-1	State v Chapman (Criminal)	Guilford 02CRS91698,02CRS23713,-02CRS91696,02CRS91699,-02CRS93444,02CRS91697,-02CRS23712	Steelman
	Decision: No error		

Docket #	Title	County	Judge
04-490-1	State v Coleman (Criminal)	Guilford 02CRS102742,02CRS102747	Steelman
	Decision: No error		
04-456-1	In Re: L.G. (Juvenile - 3.1)	Harnett 01J61	Wynn, Jr.
	Decision: Affirmed		
04-460-1	State v Arnold (Criminal)	Harnett 02CRS57048	Steelman
	Decision: No error		
04-153-1	State v Baker (Criminal)	Iredell 98CRS8538,98CRS13466 98CRS13466,98CRS8539,9- 8CRS8540,98CRS8539,98- CRS8538,98CRS8540	Steelman
	Decision: No error		
03-1510-1	In the Matter of: P.S. (Juvenile - 3.1)	Johnston 01J182	McCullough
	Decision: Affirmed		
03-1528-1	Cook v Coffey (Civil)	Madison 02CVS170	McCullough
	Decision: Affirmed		
03-1587-1	State v Hawkins (Criminal)	Mecklenburg 02CRS215147	Elmore
	Decision: No error		
03-1683-1	Gallis v M&R Investors (Civil)	Mecklenburg 01SP3391,02SP1197	Thornburg
	Decision: Reversed		
04-20-1	Mehrizi v Romero-Baeza (Civil)	Mecklenburg 03CVD9934	Elmore
	Decision: Remanded for new trial		
04-222-1	In Re: D.W. (Criminal)	Mecklenburg 00J1022	Wynn, Jr.
	Decision: Appeal dismissed		
04-486-1	In re: R.H. (Juvenile - 3.1)	Mecklenburg 01J1173	Steelman
	Decision: Affirmed		
04-512-1	State v Hilton (Criminal)	Mecklenburg 02CRS81539	Steelman
	Decision: Affirmed		
04-9-1	State v Keitt (Criminal)	Montgomery 00CRS50499	McGee
	Decision: No error in defendant's trial; vacated and remanded as to attorney's fees		
04-60-1	Burt v NC DOC (Civil)	N.C. Industrial Commission TA17293	Wynn, Jr.
	Decision: Affirmed		
04-91-1	Spicer v New Hanover Regional Med. Ctr. (Civil)	N.C. Industrial Commission IC558162,IC721983	Wynn, Jr.
	Decision: Affirmed		
04-96-1	Anderson Estate v Dana Corp. (Civil)	N.C. Industrial Commission IC016368	Hunter
	Decision: Affirmed		

Docket #	Title	County	Judge
04-513-1	Sherwin v Cape Fear Valley Health (Civil)	N.C. Industrial Commission IC123003	Steelman
	Decision: Dismissed		
02-1746-2	State v Sneed (Criminal)	New Hanover 02CRS3556,02CRS4649	Wynn, Jr.
	Decision: Affirmed		
03-1373-1	Smith v Murrell (Civil)	New Hanover 01CVS3559	Geer
	Decision: Affirmed		
03-1705-1	Elliott v Food Lion, L.L.C. (Civil)	New Hanover 01CVS3706	Wynn, Jr.
	Decision: Affirmed		
03-1405-1	King v Popkins & Associates (Civil)	Onslow 01CVS3960	Bryant
	Decision: Affirmed		
03-1214-1	Shafman v Donald Larson, Inc. (Civil)	Orange 00CVS1735	Geer
	Decision: Affirmed in part; no error in part; remanded in part		
03-1473-1	Sidbury v Jacobs (Civil)	Pender 01CVD17	McGee
	Decision: Reversed and remanded		
03-1533-1	In the Matter of: J.M.H. (Juvenile - 3.1)	Person 02J31	McGee
	Decision: Affirmed		
03-1643-1	Jimmy Lewis Contracting v Pearman (Civil)	Person 99CVD342	Hudson
	Decision: Affirmed in part, reversed in part		
04-38-1	In Re: R.P., P.P, and M.P. (Juvenile - 3.1)	Pitt 00J208,00J206,00J207	Thornburg
	Decision: Vacated and remanded		
04-457-1	O'Beid v Eastwood (Civil)	Pitt 01CVS2655	Levinson
	Decision: Affirmed		
04-400-1	State v Tinsley (Criminal)	Rockingham 03CRS50885	Steelman
	Decision: No error		
03-1243-1	Spernock v TS Henson Builders, Inc. (Civil)	Union 01CVS1318	McCullough
	Decision: Reversed and remanded		
03-1330-1	State v Garza (Criminal)	Wake 02CRS31079,02CRS38982	Wynn, Jr.
	Decision: Affirmed		
03-1713-1	State v Cunningham (Criminal)	Wake 02CRS47332,02CRS47333	Thornburg
	Decision: No error in part; vacated in part		
04-19-1	State v Santa-Maria (Criminal)	Wake 02CRS49345	McCullough
	Decision: No error		
04-262-1	Westerhold v Designers's Way (Civil)	Wake 02CVS12706	Thornburg
	Decision: Affirmed		

Docket #	Title	County	Judge
04-349-1	State v Conway (Criminal)	Wake 03CRS57101	Steelman
	Decision: No error		
04-493-1	State v Bedford (Criminal)	Wayne 03CRS51040	Levinson
	Decision: No error in part; reversed in part, and remanded		
04-507-1	State v Hobbs (Criminal)	Wayne 02CRS060641	Steelman
	Decision: No error		
04-257-1	Godwin v Barnes (Civil)	Wilson 02CVS1224	Thornburg
	Decision: No error		
03-1628-1	In the Matter of: J.B.C. & C.L.C. (Juvenile - 3.1)	Yadkin 01J111,01J112	Thornburg
	Decision: Affirmed		