

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 4 JANUARY 2005)**  
**(MANDATE 24 JANUARY 2005)**

Docket #	Title	County	Judge
03-1684-1	Wetchin v Ocean Side Corp. (Civil) <b>Decision:</b> Reversed and remanded	Brunswick	Steelman
03-1592-1	State v Ammons (Criminal) <b>Decision:</b> No error	Cumberland	Hunter
03-1558-1	State v Petro (Criminal) <b>Decision:</b> No error	Forsyth	Calabria
04-125-1	State v Batchelor (Criminal) <b>Decision:</b> No error	Gates	Martin
04-115-1	State v Davis (Criminal) <b>Decision:</b> No error in trial, remanded for resentencing and redetermination of restitution	Guilford	Martin
04-261-1	Citifinancial v. Messer (Civil) <b>Decision:</b> Reversed	Haywood	Calabria
04-427-1	State v Craig (Criminal) <b>Decision:</b> No error	Henderson	Wynn, Jr.
03-1477-1	Robinson v Gardner (Civil) <b>Decision:</b> Dismissed	Mecklenburg	Geer
03-1478-1	Robinson v Gardner (Civil) <b>Decision:</b> Dismissed	Mecklenburg	Geer
03-1544-1	State v Jenkins (Criminal) <b>Decision:</b> No error	Montgomery	Steelman
04-356-1	Johnson v Wornom (Civil) <b>Decision:</b> Reversed and remanded	Moore	Wynn, Jr.
03-1295-1	Hughart v DASCO Transportation, Inc. (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	N.C. Industrial Commission	Geer
03-1337-1	White v Weyerhaeuser Co. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Geer
04-62-1	Lowery v Duke University (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Martin
04-95-1	State v Scott (Criminal) <b>Decision:</b> New trial	Nash	Hunter
04-286-1	State v Crawford (Criminal) <b>Decision:</b> No error	New Hanover	Wynn, Jr.

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03-1626-1	State v Battle (Criminal) <b>Decision:</b> No error in part, reversed in part and remanded for resentencing	Pitt	Wynn, Jr.
04-17-1	In the Matter of: T.M.M. (Juvenile - 3.1) <b>Decision:</b> Remanded	Pitt	Hunter
04-61-1	In the Matter of: T.S., S.M. & T.M. (Juvenile - 3.1) <b>Decision:</b> Vacated	Pitt	Hunter
03-1538-1	Williams v Bell (Civil) <b>Decision:</b> No error	Rowan	Steelman
04-140-1	Reinhold v Lucas (Civil) <b>Decision:</b> Dismissed in part and affirmed in part	Wilson	McGee
03-1485-1	State v Hudgins (Criminal) <b>Decision:</b> New trial	Yancey	Geer

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04-416-1	Peverall v County of Alamance (Civil) <b>Decision:</b> Dismissed in part, remanded in part	Alamance 00CVS1741	Wynn, Jr.
04-759-1	In the Matter of: M. L. L. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Alamance 02J218	Elmore
04-802-1	State v Gwynn (Criminal) <b>Decision:</b> No error	Alamance 03CRS56313	Martin
04-832-1	State v Felton (Criminal) <b>Decision:</b> Affirmed; remanded for correction of clerical errors	Alamance 03CRS56282,03CRS16806,- 03CRS56281	Martin
04-355-1	In the Matter of: N.M.B. (Juvenile - 3.1) <b>Decision:</b> Dismissed and affirmed	Buncombe 03J51	Tyson
04-431-1	Stewart v NC Dept. of Juvenile Justice (Civil) <b>Decision:</b> Dismissed	Cabarrus 02CVS1545	Steelman
04-726-1	Huse v Reid, et al (Civil) <b>Decision:</b> Affirmed	Caldwell 03CVS943	Elmore
04-227-1	LaValley v LaValley (Civil) <b>Decision:</b> Affirmed	Carteret 01CVD875	Bryant
04-403-1	State v Campbell (Criminal) <b>Decision:</b> No error in 03CRS6431, judgment arrested in 03CRS6432	Columbus 03CRS6431,03CRS6432	Elmore
03-1004-1	State v Adams (Criminal) <b>Decision:</b> No error	Cumberland 00CRS56201	McGee
03-1482-1	State v Williams (Criminal) <b>Decision:</b> New trial	Duplin 02CRS3986,02CRS3987	McGee
04-330-1	State v Suitt (Criminal) <b>Decision:</b> No error	Durham 02CRS57707,03CRS11462	Elmore
04-279-1	Adams v Adams (Civil) <b>Decision:</b> Affirmed and remanded for determination of attorney's fees	Forsyth 00CVD7602	McGee
04-655-1	State v Staton (Criminal) <b>Decision:</b> No error	Forsyth 02CRS58986	Elmore
04-733-1	State v Rodriguez (Criminal) <b>Decision:</b> Affirmed	Forsyth 03CRS053276,03CRS53272- ,03CRS053275	Elmore
04-342-1	State v Dawkins (Criminal) <b>Decision:</b> No error	Guilford 01CRS106228,02CRS69648	Elmore

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04-361-1	Covington v Reaves (Civil) <b>Decision:</b> Dismissed	Guilford 03CVD12531	Steelman
04-442-1	State v Graham (Criminal) <b>Decision:</b> No error	Guilford 02CRS103298,02CRS10371-1,02CRS103300	Elmore
03-1437-1	State v Saunders (Civil) <b>Decision:</b> Affirmed; remanded for correction of order	Johnston 97CRS8575,97CRS8576	Martin
04-614-1	In Re: M.A.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Johnston 01J120	Levinson
04-673-1	State v Bush (Criminal) <b>Decision:</b> Affirmed	Lincoln 03CRS2686	Elmore
03-1505-1	Jones v Jones (Civil) <b>Decision:</b> Reversed and remanded for new trial	Mecklenburg 99CVD16304	Bryant
03-1557-1	State v Burke (Criminal) <b>Decision:</b> No error	Mecklenburg 01CRS162263,00CRS35238-,01CRS162264,00CRS35239	Bryant
04-39-1	Muzzillo v Muzzillo (Civil) <b>Decision:</b> Affirmed	Mecklenburg 00CVD16041	McGee
04-273-1	State v Graham (Criminal) <b>Decision:</b> No error in appeal. Remand for correction of Clerical error	Mecklenburg 03CRS202423,03CRS20242-1,03CRS202422	Wynn, Jr.
04-769-1	State v Parrish (Criminal) <b>Decision:</b> Dismissed	Mecklenburg 03CRS62787	Martin
03-1622-1	State v Gurganious (Criminal) <b>Decision:</b> No error	Pender 02CRS4565,01CRS51028,0-1CRS51029	Geer
04-559-1	State v Richmond (Criminal) <b>Decision:</b> No error	Person 02CRS53901,02CRS53899	Martin
04-628-1	State v Dupree (Criminal) <b>Decision:</b> No error	Pitt 03CRS058533	Martin
03-1242-1	Rutherford Management Corp v Columbus (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Polk 03CVS111	Geer
04-293-1	In the Matter of: K.F. (Criminal) <b>Decision:</b> Reversed	Robeson 03J176	Martin
04-124-1	Wilkerson v Wilkerson (Civil)	Rutherford 03CVD214	Tyson

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	<b>Decision:</b> Vacated		
04-731-1	State v Simmons (Criminal)	Stanly 01CRS3282,01CRS5738	Martin
	<b>Decision:</b> No error		
04-679-1	State v Travis (Criminal)	Surry 03CRS51609,03CRS51607,- 03CRS51611,03CRS51608,- 03CRS4392	Martin
	<b>Decision:</b> Remanded		
03-1456-1	Zander v Greater Emmanuel Pentacostal (Civil)	Wake 00CVS14502	Hudson
	<b>Decision:</b> Affirmed		
04-881-1	State v Simpson (Criminal)	Wake 03CRS58572,03CRS58573	Martin
	<b>Decision:</b> Reversed and remanded		
04-48-1	In the Matter of: F.L.R. (Juvenile - 3.1)	Yadkin 01J73	McGee
	<b>Decision:</b> Affirmed		