

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 JANUARY 2005)**  
**(MANDATE 7 FEBRUARY 2005)**

Docket #	Title	County	Judge
04-334-1	Sillery v Sillery (Civil) <b>Decision:</b> Dismissed	Brunswick	Timmons-Goodson
04-381-1	Britt v Britt (Civil) <b>Decision:</b> Affirmed	Brunswick	Levinson
04-264-1	In the Matter of: D.S.C. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Buncombe	McCullough
03-1488-1	Maglione v Aegis Family Health Centers (Civil) <b>Decision:</b> New trial	Caldwell	McCullough
04-108-1	Neill Grading & Constr. v Lingafelt (Civil) <b>Decision:</b> Dismissed	Catawba	McCullough
04-183-1	In Re: J.F.M. & T.J.B. (Criminal) <b>Decision:</b> No error	Forsyth	McCullough
04-402-1	In Re: Wachovia Shareholders Litigation (Civil) <b>Decision:</b> Reversed and remanded	Forsyth	McCullough
03-1667-1	State v Turner (Criminal) <b>Decision:</b> Vacated in part, reversed in part, and remanded for resentencing	Gaston	Geer
04-30-1	State ex rel. Cross v Saunders (Civil) <b>Decision:</b> Reversed	Gates	Calabria
03-1420-1	Hobbs Staffing v Lumbermens Mut. Cas. (Civil) <b>Decision:</b> Vacated and remanded	Guilford	Steelman
03-1496-1	Jones v Ratley (Civil) <b>Decision:</b> Affirmed	Guilford	Hudson
03-1658-1	Handex of the Carolinas v Haywood Cty. (Civil) <b>Decision:</b> Affirmed in part, modified in part, reversed in part, and new trial	Haywood	McCullough
03-1704-1	Revelle v Chamblee (Civil) <b>Decision:</b> Reversed	Hertford	Martin
04-372-1	State v Ewell (Criminal) <b>Decision:</b> New trial	Martin	Tyson
03-1673-1	Graham Estate v Morrison (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Mecklenburg	Hunter
04-194-1	In re: L.D.B. (Juvenile - 3.1) <b>Decision:</b> Reversed	Mecklenburg	Hudson

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04-318-1	In the Matter of: Mason (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Levinson
04-215-1	State, Moore Bd of Educ v Pelletier (Criminal) <b>Decision:</b> Reversed and remanded	Moore	Calabria
03-850-2	Apple Estate v Commercial Courier (Civil) <b>Decision:</b> Vacated in part	N.C. Industrial Commission	Hunter
03-1064-1	Brooks v Capstar Corp. (Civil) <b>Decision:</b> Affirmed; remanded for costs determination	N.C. Industrial Commission	McGee
03-1569-1	Clawson v Phil Cline Trucking, Inc. (Civil) <b>Decision:</b> Affirmed in part, remanded in part	N.C. Industrial Commission	Timmons-Goodson
04-536-1	Johnson v Rowland Motor Co. (Civil) <b>Decision:</b> Appeal dismissed	Robeson	Hunter
04-145-1	BellSouth v Laurinburg (Civil) <b>Decision:</b> Affirmed	Scotland	McCullough
03-530-1	Newberne v Crime Control & Pub. Safety (Civil) <b>Decision:</b> Affirmed	Wake	McGee
03-1486-1	Mitchell v Mitchell's Formal Wear, Inc. (Civil) <b>Decision:</b> Affirmed	Wake	Timmons-Goodson
03-1494-1	State v Corbett (Criminal) <b>Decision:</b> No error	Wake	McCullough
04-391-1	State v Allah (Criminal) <b>Decision:</b> No error	Washington	Hunter
04-41-1	Szymczyk v Signs Now Corp. (Civil) <b>Decision:</b> Reversed	Wilson	Hunter

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04-303-1	Pearce v Rosenblum (Civil) <b>Decision:</b> Affirmed	Buncombe 02CVS4088	Timmons-Goodson
04-50-1	In Re: D.D.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cabarrus 02J159	Calabria
04-271-1	In the Matter of: J.Q.F.,D.D.P.,&C.W.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cabarrus 01J186,01J184,01J185	Wynn, Jr.
04-72-1	Barringer v Hoffman (Civil) <b>Decision:</b> Affirmed	Catawba 02CVS1569	McCullough
04-104-1	Dorroh v Williams (Civil) <b>Decision:</b> Affirmed	Chatham 02CVD727	McGee
04-207-1	In Re: C.Y.P. & I.P. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Chatham 02J71,02J72	Levinson
04-78-1	State v Dowdle (Criminal) <b>Decision:</b> No error	Cleveland 02CRS6737	Hunter
04-359-1	Moore v Duncan (Civil) <b>Decision:</b> Affirmed	Columbus 03CVS00176	Hudson
03-1682-1	State v Frazier (Criminal) <b>Decision:</b> No error	Craven 02CRS53159,02CRS53162- ,02CRS53157,02CRS5316- 0,02CRS53158,02CRS53161	Martin
04-117-1	State v Boomer (Criminal) <b>Decision:</b> No error	Craven 03CRS50307	McCullough
04-148-1	State v Armour (Criminal) <b>Decision:</b> Reversed and remanded	Cumberland 03CRS50194	Calabria
04-163-1	State v Arnette (Criminal) <b>Decision:</b> No prejudicial error in part; Dismissed without prejudice in part	Cumberland 02CRS50446	Tyson
04-409-1	State v Spell (Criminal) <b>Decision:</b> Affirmed	Cumberland 99CRS59950,99CRS59947- ,99CRS59949	Hunter
03-1717-1	State v Robbins (Criminal) <b>Decision:</b> No error	Davidson 93CRS16908	Calabria
04-135-1	State v Williams (Criminal) <b>Decision:</b> No error	Davidson 02CRS62106,02CRS61852	McGee
04-390-1	Matter of: D.D.H. (Juvenile - 3.1)	Davidson 02J216	Timmons-Goodson

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	<b>Decision:</b> Affirmed		
04-756-1	State v Parker (Criminal)	Durham 03CRS43894	Hunter
	<b>Decision:</b> No error		
03-1575-1	Daniels v Winston-Salem/Forsyth Cty BOE (Civil)	Forsyth 01CVS5744	Calabria
	<b>Decision:</b> Affirmed		
03-1620-1	State v Harrell (Criminal)	Forsyth 02CRS8417,02CRS26867	Calabria
	<b>Decision:</b> No error		
04-314-1	In the Matter of: K.L.J. (Juvenile - 3.1)	Forsyth 01J480	Steelman
	<b>Decision:</b> Affirmed in part, Reversed in part		
04-652-1	State v Thompson (Criminal)	Forsyth 03CRS16573,03CRS51878	Hunter
	<b>Decision:</b> No error		
04-684-1	State v Revel (Criminal)	Forsyth 03CRS16100,03CRS2328	Hunter
	<b>Decision:</b> No error		
03-1685-1	State v Grantham (Criminal)	Guilford 02CRS24402	Calabria
	<b>Decision:</b> No error		
03-1573-1	State v Caudle (Criminal)	Halifax 01CRS54283,98CRS8468,- 01CRS54291,98CRS8469	Calabria
	<b>Decision:</b> No error		
04-256-1	In the Matter of: M.S.B. (Juvenile - 3.1)	Harnett 02J204	Geer
	<b>Decision:</b> Affirmed		
04-638-1	In Re: T.S.,S.S., & L.R. (Juvenile - 3.1)	Harnett 00J214,00J212,00J213	Levinson
	<b>Decision:</b> Affirmed		
04-398-1	Inman v Inman (Civil)	Haywood 02CVD642	Timmons-Goodson
	<b>Decision:</b> Reversed and remanded		
04-510-1	Greene v Greene (Civil)	Johnston 01CVD1882	Hunter
	<b>Decision:</b> Vacated and remanded		
03-1650-1	State v Murchison (Criminal)	Lee 02CRS52044,02CRS3441,- 02CRS6740	Levinson
	<b>Decision:</b> No error		
04-221-1	State v Murchison (Criminal)	Lee 02CRS6916	Calabria
	<b>Decision:</b> No error		
03-1644-1	State v Franks (Criminal)	Macon 02CRS51055,02CRS51056	Calabria
	<b>Decision:</b> No error		
03-1522-1	State v Washington (Criminal)	Mecklenburg 02CRS211505	Calabria
	<b>Decision:</b> No error		

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03-1672-1	JWR Sales Co. v New Millenium Cinemas (Civil) <b>Decision:</b> Affirmed	Mecklenburg 01CVD1186	Hudson
04-233-1	In The Matter Of: B.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg 03J40	Calabria
04-473-1	Mechanical Systems v Carolina Air (Civil) <b>Decision:</b> Dismissed	Mecklenburg 02CVS8572	Levinson
03-1525-1	State v Smith (Criminal) <b>Decision:</b> No error	Moore 02CRS8205	Calabria
04-675-1	Lafell v Lafell (Civil) <b>Decision:</b> Dismissed in part; reversed and remanded in part	Moore 01CVD327	Levinson
04-56-1	Gillette v Dollar Tree Stores, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC162533	Levinson
03-1595-1	State v Berarducci (Criminal) <b>Decision:</b> No error	Onslow 02CRS51810	Calabria
04-53-1	State v Baker (Criminal) <b>Decision:</b> No error	Onslow 02CRS59492	Bryant
03-1613-1	State v Green (Criminal) <b>Decision:</b> No error	Randolph 02CRS55636	Calabria
03-1588-1	State v Culler (Criminal) <b>Decision:</b> No error	Richmond 02CRS54567,03CRS1572	Calabria
04-817-1	State v Ponds (Criminal) <b>Decision:</b> No error in part; reversed and remanded in part	Richmond 03CRS4489,03CRS50524	Hunter
03-1584-1	State v Nichols (Criminal) <b>Decision:</b> No error	Rowan 02CRS50724,02CRS50725	Calabria
04-27-1	State v Cline (Criminal) <b>Decision:</b> No error	Rowan 01CRS13258,01CRS57544	Calabria
03-1642-1	State v Jenkins (Criminal) <b>Decision:</b> No error	Surry 01CRS3848,01CRS51018, 01CRS51022,01CRS51019- ,01CRS3849,01CRS51023,- 01CRS51021,01CRS51018- ,01CRS51022,01CRS5102- 0,01CRS3849,01CRS5102- 1,01CRS51019,01CRS384- 8,01CRS51023,01CRS51020	Calabria
04-522-1	State v James (Criminal) <b>Decision:</b> Reversed and remanded	Surry 02CRS52198	Hunter

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03-1716-1	State v Huang (Criminal) <b>Decision:</b> No error	Wake 03CRS872	Calabria
04-214-1	State v Bennett (Criminal) <b>Decision:</b> No error	Wake 02CRS34170	Steelman
04-422-1	State v Burr (Criminal)  <b>Decision:</b> No error	Wake 03CRS53009,03CRS53004- ,03CRS53007,03CRS5300- 2,03CRS53005,03CRS530- 08,03CRS53003,03CRS53006	Hunter
03-1418-1	Haney v Greene Construction, Inc. (Civil) <b>Decision:</b> Affirmed	Watauga 02CVS746	Steelman
04-772-1	In Re: H.N.T. and J.E.A.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Watauga 02J24,02J25	Hunter
04-811-1	In the Matter of: C.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Watauga 02J72	Levinson