IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 19 APRIL 2005)
(MANDATE 9 MAY 2005)

! "#$%$$	&'#(" $$	) *+#, $	-*. / "
$			
01234325	$!"#"$%&! '"(") !*+," !-. / + 0"1 2,3"4%3"54+#+67 !"#"$%& '((") * +	$$6(787+ "	8.9,%2
$			
0925 3: :25	$ 1 2" : !" ; ! / "%<=">3?3"5@.#! 2+6!"A"B3C7 !"#"$%& ,-!-. +	$$; *+ 8<"	D+EE%2,AF%%9,%2
$			
0124=925	$!"#"), :"54 / +E+2 67 !"#"$%& /-) * 0 ##))$)	$$) *8<">(7+.	D0,%2
$			
012:=?25	$!"#"?%G2+2*"54 / +E+2 67 !"#"$%& '((") * +	$$ 7>"	H022I"@/3
$			
012=??25	$!"# !#! 2,%2"54 / +E+2 67 !"#"$%& '((") * +	$$@ >A,#B	H022I"@/3
$			
01211125	$; 44"J. 9%% / "#"D%G2"%<"K / 2L6+2 %2"54+#+67 !"#"$%& 1 2)# +	$$@>7+!('+	$ -4.66%.*:
$			
01259025	$!"#"4 / E%2"54 / +E+2 67 !"#"$%& 3$))$)	$$C>""+"	M6E%/!
$			
0925999 25	1 2" : !" ; ! / "%<=")3?3$3"(@3 3$"(43$3$3 $@.#! 2+6!"A"B3C7 !"#"$%& '((") * +	$$C*'(D >.	$/02
$			
01290E25	!"#"8%G!66"54 / +E+2 67 !"#"$%& 45&1789:;:<&$=%. ><?=+@ * %. ')) #. + &$=%. >><3$))$) 45&1789:8A<&$=%. ><3$ B))$) 45&1789:8C<&$=%. ><3$ B))$) &$=%. >><3$ B))$)	$$C*'(D >.	$ / +2
$			
01210125	M%/<%6L" %. : ! / 2"O +6G 0"#" E+ :"54+#+67 !"#"$%& '((") * +	$$-7 !A +	$ / +2
$			
012E125	> 2-"%<")E! / +-"#"M#! / */ ! ! 2"1 2 P6"54+#+67 !"#"$%& '((") * +	$$F" !("+<*>/	F!!/
$			
012?5:25	4 / 6+,6!"#"Q!+ :I"! " 6"54+#+67 !"#"$%& '((") * +	$$F" !("+<*>/	$/02
$			
012:9?25	$!"#"; -46 +2"54 / +E+2 67 !"#"$%& 3$))$)	$$F" !("+<*>/	$!!6E 2
$			
092?::25	; %% / !,#+66!"8%,&"; *E") ,,%-"#"M4"?88 54+#+67 !"#"$%& '((") * + "% D-).E) 2)# + "% D-).E -%+) * -%+ + F".G "%#.)=!."$%#	$$GH)H$ "I#H$ D$J"7(#B$K$J*87+$LM A4	6R/+
$			
012?1325	O%*! / ,"#"$%G!P,"8%E!"1E&/%#!E!2 I"! " 6 $4+#+67 !"#"$%& '((") * +	$$GH)H$N+. *A#>'7($) 88'AA' +	$ -4.66%.*:

!"#$%$$	&'#("$$	) *+#,$	-*./"
$			
092511925	>! -:-%ER!/"$/%&!/ +!,"# +%2"J2!"54+#+67 $!"#"$%& '((")* +	$$G"O$J7+ M">	$/02
$			
0124E?25	8 1"\4"#"?+#!/,+<+!9"K+/!"$/%3I"!""54+#+67 $!"#"$%& '((")* +	$$G"O$J7+ M">	8.2!/
$			
01240925	D%G2"%<"8!/<%/9"#"8//+,I"!"6"54+#+67 $!"#"$%& 1 2)# + -%+) *-%+ +	$$P">Q*'87+A	8.9,%2
$			
0121:?25	12"O!=">33I 33IO3D3"5@.#!2+6!"A"B3C7 $!"#"$%& "#*"## +"% D-).H 1 2)# +"% D-).H -%+ 1 *-%+ +	$$P'##	D0,%2
$			
012:0125	4+0"%<" 6+,R./0"#"4 E&R!66"54+#+67 $!"#"$%& '((")* +	$$R O7+	M6E%/!
$			
01249525	4%:!2" :'"),,%-3"#"$!//0I"!"6"54+#+67 $!"#"$%& '((")* +	$$S7!"	8.9,%2
$			
012E?425	4/R/!!")#!3"12#3"F/&3"# !L")6!"54+#+67 $!"#"$%& '((")* +	$$S7!"	M6E%/!
$			
012?0525	192'"#"8/&!/"54+#+67 $!"#"$%& '((")* +"% D-). -%+) 2)# + -%+) *-%+ +"% D-).	$$S7!"	$!#+2,%2
$			

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!"#$%$$	&'#("$$	) *+#,$	-*./"$$
$			
01234425	L#7#"MR .>'/*"TK6"/'A$U)'M'(V	)6E2-! TU4O VWWCBITU4O VWWCX"	'$'8.9,%2
	$!"#"$%& '((")* +		
01241025	N+$R"W$)H6H6HKLHXH)H$U-*M"+'("$2$9H5V	469G!66 TU@CXITU@CV"	'$';-4.66%.*:
	$!"#"$%& '((")* +		
012:3125	G7/A$J"7.$) +A#>HM& O+$ D$G7/A$J"7.$U)'M'(V	2/! TB4Y XZV"	'$>/02
	$!"#"$%& '((")* +		
012EE?25	L#7#"M) (",$U)>'8'+7(V	2#+! TU4O VTXVT"	'$H022I"@/3
	$!"#"$%& 3$))$)		
01244925	L#7#"MR'//A$U)>'8'+7(V	?./:E TB4O VCV[TITB4O CBV[\IA TB4O XV\TCITB4O TV[[[IA TB4O VCV[CITB4O CBV[ZIA TB4O XV\\ZITB4O CUBUCIA TB4O XXB\B"	'$$!#+2,%2
	$!"#"$%& '((")* +		
012?5325	C>'">MY7>($&'+. ($@ >.Z$N+ H$U)'M'(V	E,%2 TU4Y WTV"	'$'8.9,%2
	$!"#"$%& '((")* +		
01245?25	S>'/B#MF7A +$U)'M'(V	E.+6<%/9 ZW4Y?UXZX"	'$';-4.66%.*:
	$!"#"$%& 1 2)# +		
012:0925	N+$R"W$LH H$U-*M"+'("$2$9H5V	E.+6<%/9 TX@CZ"	'$H022I"@/3
	$!"#"$%& '((")* +		
012:??25	[7AB7+'MJ7+B7+$U)'M'(V	E.+6<%/9 TB4Y?CTCCW"	'$>/02
	$!"#"$%& '((")* +		
01239525	N+$R"W$;HGHZFHGHZ&HGHZGHGHKFH[HGH$U-*M"+'("$2@UMFV@UBITU@U[ITU@UXITU@UW	8/2! TU@UMFV"	'$46R/+
	$!"#"$%& '((")* +		
012509425	N+$R"W$\HYH)H$U-*M"+'("$2$9H5V	8!29!/,%2 TU@CTU"	'$';-F!!
	$!"#"$%& '((")* +		
012504:25	L#7#"M@7>>'A$U)>'8'+7(V	$!2%+/ TB4O VUX[\"	'$';-4.66%.*:
	$!"#"$%& "#*"## +		
0124?425	L#7#"M['/B#+">$U)>'8'+7(V	;!-L6!2R./* TU4O UBBCUWITU4O UBBCU\	'$M6E%/!
	$!"#"$%& 3$))$)		
012E=125	&>7+A(7+.$@'+7+ '7($M$P 8I"''Z$"#$7($U)'M'(V	;!-L6!2R./* TU4Y CVZCT"	'$D0,%2
	$!"#"$%& 1 2)# + -%+) *-%+ +		
09254E525	F >"M&O'+$J7>< >$6AA '7#' +Z$N+ H$U)'M'(V	;%2*%E!/0 TC4Y CWV"	'$!!6E2
	$!"#"$%& '((")* +		

! "#$%$$	&'#("$$	) *+#,$	-*./"$$
0129?125	L#7#"M;> O+$U)>'8'+7(V $!"#"$%& 3$))$)	.%%/! TC4O VCXB\"	'$D0,%2
0125:?25	[* 7AMG)$])$U)'M'(V $!"#"$%& '(())* +"%D-).E2-!-. +-%+) *-%+ +"%D-).	N343"129.,/+6"4%EE+,,+%2 14D)C[\[C"	'$!!6E2
01244E25	F'((AMLI>'+#$F'.26#(7+#' Z$"#$7($U)'M'(V $!"#"$%& '(())* +	N343"129.,/+6"4%EE+,,+%2 14C[BTBX"	'$M6E%/!
0129 0325	&>'+'#,$P>"A<,H$)B*> BMS'(8'+/# +$U)'M'(V $!"#"$%& 1 2)# +	N!G"8 2%#!/ TB4Y UCV["	'$46R/+
012E3125	L#7#"M;(*+#$U)>'8'+7(V $!"#"$%& 3$))$)	$!/,%2 TU4O VCV\\ITU4O VCV\VIA TU4O VCV\W"	'$8.9,%2
01230:25	N+$R"W$;HPHZLHPHZRH&H$U-*M"+'("$2$9H5V $!"#"$%& "#*"## +"%D-).H1 2)# +"%D-).	$+ Z\@CWCIZ\@C[ZIZ\@CWT"	'$D0,%2
012:=525	L#7#"M; O"+A$U)>'8'+7(V $!"#"$%& ,-!-. +-%+) *-%+ +	$+ TC4O [BBBV"	'$;-4.66%.*:
0925940 25	N+$R"W$LH]H;2;HZLH^H;2;H$U-*M"+'("$2$9H5V $!"#"$%& 1 2)# +	O%R!,%2 TU@UX\ITU@UXZ"	'$>/0 2
01230325	N+$R"W$[HFH;H[HZ$LH_H[H[H$U-*M"+'("$2$9H5V $!"#"$%& '(())* +	O%R!,%2 TB@CZXITB@CZV"	'$;-4.66%.*:
012:0425	N+$R"W$-H H$U-*M"+'("$2$)>'8'+7(V $!"#"$%& '(())* +	O%R!,%2 TX@U["	'$;-4.66%.*:
01231925	L#7#"M)*88'+/A$U)>'8'+7(V $!"#"$%& 3$))$)	O%-L+2*:E TB4O CZCVITB4O CZC["	'$!!6E2
012501=25	L#7#"ML'88 +A$U)>'8'+7(V $!"#"$%& '(())* +	O%G 2 TB4O VZ\VWITU4O VV[C[IA TB4O VXZU\ITU4O \\\\ITA B4O VZ\[TITU4O VVWUZITA B4O VZ[\[ITU4O VBXUXITA X4O [ITB4O \T[Z"	'$;-4.66%.*:
012?=25	N+$R"W$\H[H$U-*M"+'("$2$9H5V $!"#"$%& '(())* +	O.:!/<%/9 TU@CTW"	'$M6E%/!
0124?525	L#7#"MF*>IB,$U)>'8'+7(V $!"#"$%& 3$))$)"%D-).E) 2)# +"%D-).	-%6 29 TU4O U[BBITU4O VC\V[ITA V4O U[BXITU4O VC\VWITUA 4O XXCWITU4O VCU[\ITU4A O XXC\"	'$;-4.66%.*:
01250=925	F \'++",M;"++"##Z$"#$7($U)'M'(V $!"#"$%& '(())* +	$ %L!, TB4Y WUC"	'$;-4.66%.*:

! "#$%$$	&'#("$$	) *+#,$	-*./"$$
01294025	F7##">$ DW$ \ H@HKFH@H$U-*M"+'("$2$9H5V $ **!"#"$%&** '(()* +	H+6L!, $TC@CVZITC@C[T"	'$46R/+