

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 APRIL 2005)**  
**(MANDATE 9 MAY 2005)**

Docket #	Title	County	Judge
04-565-1	State v Lopez & Aegis Security Ins. Co. (Civil) <b>Decision:</b> Affirmed	Alamance	Hudson
03-1599-1	In the Matter of: B.D. (Juvenile - 3.1) <b>Decision:</b> Vacated	Buncombe	Timmons-Goodson
04-623-1	State v Ash (Criminal) <b>Decision:</b> Harmless error	Cumberland	Tyson
04-928-1	State v Downing (Criminal) <b>Decision:</b> Affirmed	Dare	Wynn, Jr.
04-288-1	State v Stevenson (Criminal) <b>Decision:</b> Affirmed	Forsyth	Wynn, Jr.
04-444-1	MCC Outdoor v Town of Franklinton (Civil) <b>Decision:</b> Reversed	Franklin	McCullough
04-130-1	State v Carmon (Criminal) <b>Decision:</b> No error	Greene	Elmore
03-1333-1	In the Matter of: A.D.L. & J.S.L. & C.L.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford	Bryant
04-307-1	State v Howell (Criminal) <b>Decision:</b> 02CRS93484-Count I-Judgment Arrested Count II-No error 02CRS93491-Count I-No Error 02CRS93495-Count I-No Error Count II-No Error	Guilford	Martin
04-404-1	Norfolk Southern Railway v Smith (Civil) <b>Decision:</b> Affirmed	Jackson	Martin
04-74-1	Banc of America v Evergreen Int'l (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Geer
04-819-1	Carlisle v Keith, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
04-938-1	State v McClain (Criminal) <b>Decision:</b> No error	Mecklenburg	Steelman
03-899-1	Mooresville Hosp Mgmt Assoc v NC DHHS (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded with instructions	N.C. Dept. of Health & Human Svcs	Calabria
04-845-1	Rogers v Lowe's Home Improvement, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McCullough

Docket #	Title	County	Judge
03-1443-1	Beachcomber Properties v Station One (Civil) <b>Decision:</b> Affirmed	New Hanover	Bryant
04-678-1	HSI NC v Diversified Fire Prot., et al (Civil) <b>Decision:</b> Affirmed	New Hanover	Hunter
04-603-1	Town of Hertford v Harris, et al (Civil) <b>Decision:</b> Reversed and remanded	Perquimans	Hudson
04-498-1	In Re: B.P.,S.P.,R.T. (Juvenile - 3.1) <b>Decision:</b> Dismissed in part; Reversed in part; and Remanded	Pitt	Tyson
04-904-1	City of Salisbury v Campbell (Civil) <b>Decision:</b> Affirmed	Rowan	Elmore
04-631-1	Cohen Shatz Assoc. v Perry, et al (Civil) <b>Decision:</b> Affirmed	Wake	Hudson
04-786-1	Crabtree Ave. Inv. Grp. v Steak & Ale (Civil) <b>Decision:</b> Affirmed	Wake	Elmore
04-801-1	Iadanza v Harper (Civil) <b>Decision:</b> Affirmed in part and reversed and remanded in part	Wake	Levinson

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

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

Docket #	Title	County	Judge
04-566-1	State v Rodriguez & Aegis (Civil) <b>Decision:</b> Affirmed	Alamance 02CRS57713,02CRS57714	Hudson
04-640-1	In Re: C.A.A.&S.Y.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Caldwell 02J14,02J15	McCullough
04-954-1	Nags Head Constr. v Town of Nags Head (Civil) <b>Decision:</b> Affirmed	Dare 03CVS495	Bryant
04-778-1	State v Cooley (Criminal) <b>Decision:</b> No error	Davie 02CRS50450	Wynn, Jr.
04-663-1	State v Riggs (Criminal) <b>Decision:</b> Affirmed	Durham 03CRS51560,03CRS13568,- 03CRS45801,03CRS05666,- 03CRS51561,03CRS13569,- 03CRS45889,03CRS12321,- 03CRS44383	Levinson
04-815-1	Grier v Earl Tindol Ford, Inc. (Civil) <b>Decision:</b> Affirmed	Gaston 02CVS705	Hudson
04-618-1	Wright v Mason (Civil) <b>Decision:</b> Reversed	Guilford 97CVD2494	McCullough
04-903-1	In Re: S.D. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 04J19	Wynn, Jr.
04-988-1	Lashani v Hanhan (Civil) <b>Decision:</b> Affirmed	Guilford 03CVD10117	Bryant
04-531-1	In Re: B.N.,M.N.,T.N.,N.N.&M.L.N. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 02J25,02J23,02J26,02J24,02J27	Calabria
04-1036-1	In Re: K.E.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Henderson 02J102	McGee
04-1069-1	State v Farris (Criminal) <b>Decision:</b> Dismissed	Lenoir 03CRS52468	McCullough
04-686-1	State v Lightner (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS233127,02CRS233128	Elmore
04-724-1	Transland Financial v Pompeii, et al (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg 02CVS15910	Tyson
03-1671-1	Moore v Twin Harbor Association, Inc. (Civil) <b>Decision:</b> Affirmed	Montgomery 01CVS175	Steelman

Docket #	Title	County	Judge
04-384-1	State v Brown (Criminal) <b>Decision:</b> No error	Moore 01CRS51438	Tyson
04-198-1	Lucas v NC DOC (Civil) <b>Decision:</b> Affirmed in part, vacated and remanded in part	N.C. Industrial Commission ICTA16861	Steelman
04-667-1	Mills v Sprint Mid-Atlantic, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC163034	Elmore
04-305-1	Trinity Presby. Church v Wilmington (Civil) <b>Decision:</b> Reversed	New Hanover 03CVS2156	Calabria
04-754-1	State v Blount (Criminal) <b>Decision:</b> No error	Person 02CRS51588,02CRS51585,- 02CRS51587	Hudson
04-509-1	In Re: B.P.,S.P.,R.T. (Juvenile - 3.1) <b>Decision:</b> Dismissed in part; Reversed in part	Pitt 98J171,98J169,98J170	Tyson
04-921-1	State v Bowens (Criminal) <b>Decision:</b> Vacated and remanded	Pitt 01CRS63335	McCullough
03-1360-1	In Re: S.O.B-B.,S.U.B-B. (Juvenile - 3.1) <b>Decision:</b> Reversed	Robeson 02J248,02J249	Bryant
04-505-1	In Re: L.M.B.L., S.V.L.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Robeson 03J194,03J195	McCullough
04-906-1	In Re: J.D. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Robeson 04J26	McCullough
04-543-1	State v Cummings (Criminal) <b>Decision:</b> No error	Rockingham 03CRS1915,03CRS1916	Steelman
04-1042-1	State v Simmons (Criminal) <b>Decision:</b> Affirmed	Rowan 03CRS59857,02CRS55616,- 03CRS54928,02CRS8888,0- 3CRS59860,02CRS55729,0- 3CRS59686,02CRS53424,0- 4CRS6,03CRS8069	McCullough
04-82-1	In Re: K.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Rutherford 02J107	Elmore
04-681-1	State v Murphy (Criminal) <b>Decision:</b> No error in part, reversed in part	Scotland 02CRS2633,02CRS51856,0- 2CRS2634,02CRS51857,02- CRS4417,02CRS51268,02C- RS4418	McCullough
04-1023-1	McKinney v Bennett, et al (Civil) <b>Decision:</b> Affirmed	Stokes 03CVS721	McCullough

Docket #	Title	County	Judge
04-360-1	Matter of: K.F. & M.F. (Juvenile - 3.1)	Wilkes 01J159,01J160	Calabria
	<b>Decision:</b> Affirmed		