

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 JULY 2005)**  
**(MANDATE 25 JULY 2005)**

Docket #	Title	County	Judge
04-1221-1	Cabarrus County v Systel Bus. Equip. (Civil) <b>Decision:</b> Reversed	Cabarrus	Wynn, Jr.
04-300-1	Armstrong v Barnes (Civil) <b>Decision:</b> Affirmed in part and remanded	Catawba	Calabria
04-1138-1	In re: S.W. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Durham	Tyson
04-955-1	In re: D.J.D.,D.M.D.,S.J.D.,J.M.D. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Forsyth	Martin
04-1043-1	State v Flemming (Criminal) <b>Decision:</b> No error	Forsyth	Wynn, Jr.
04-1155-1	State v Fisher (Criminal) <b>Decision:</b> No error	Forsyth	Timmons-Goodson
04-1176-1	Duncan v CUNA Mutual (Civil) <b>Decision:</b> Affirmed	Forsyth	Levinson
04-1245-1	Brown v Winston-Salem (Civil) <b>Decision:</b> Affirmed in part and reversed in part	Forsyth	McCullough
04-797-1	Youse v Duke Energy Corporation (Civil) <b>Decision:</b> Affirmed	Guilford	McGee
04-958-1	State v Ledwell (Criminal) <b>Decision:</b> No error in part, Vacated in part	Guilford	Wynn, Jr.
04-1158-1	Santana v Santana (Civil) <b>Decision:</b> Reversed	Guilford	Wynn, Jr.
04-1330-1	In re: Will of Priddy (Civil) <b>Decision:</b> Reversed	Guilford	Hunter
04-990-1	In re: D.D.Y. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Halifax	Tyson
04-790-1	Eley v Mid/East Acceptance Corp. (Civil) <b>Decision:</b> Affirmed and remanded	Hertford	Geer
04-484-1	In re: D.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg	Martin
04-890-1	State v English (Criminal) <b>Decision:</b> No error; remand for resentencing	Mecklenburg	McGee
04-1034-1	Moose v Versailles Condominium, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant

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04-1102-1	First Commerce Bank v Dockery (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Hunter
04-1229-1	Capps v NW Sign Industries, et al (Civil) <b>Decision:</b> Dismissed	Mecklenburg	Bryant
04-168-1	Cannon v Goodyear Tire & Rubber Co. (Civil) <b>Decision:</b> Vacated and remanded	N.C. Industrial Commission	McGee
04-1259-1	D'Aquisto v Mission St. Joseph's (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Wynn, Jr.
04-1292-1	Munoz v Caldwell Memorial Hospital (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Timmons-Goodson
04-1447-1	Flynn v EPSG Management Svcs. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
04-1166-1	In re: C.B. (Civil) <b>Decision:</b> Reversed and remanded	New Hanover	Timmons-Goodson
04-1189-1	Brown v Brown (Civil) <b>Decision:</b> Vacated	New Hanover	Levinson
04-775-1	Hines v Yates, et al (Civil) <b>Decision:</b> Affirmed in part, Reversed in part and dismissed	Randolph	Tyson
04-965-1	In re: R.A.H. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Randolph	Steelman
04-872-1	State v Ledwell (Criminal) <b>Decision:</b> No error	Richmond	Martin
04-563-1	State v Brigman (Criminal) <b>Decision:</b> No error	Rowan	McGee
04-914-1	Stack v Union Reg'l Mem'l Ctr., et al (Civil) <b>Decision:</b> Affirmed	Union	McGee
04-852-1	MW Clearing v NC DENR (Civil) <b>Decision:</b> Affirmed	Wake	Martin
04-1016-1	Saliby v Conners (Civil) <b>Decision:</b> Reversed	Wake	McGee
04-1130-1	State v Torres (Criminal) <b>Decision:</b> No error	Wake	Elmore

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04-875-1	Auman v Smith (Civil) <b>Decision:</b> Affirmed	Alamance 00CVS1972	Levinson
04-1163-1	Hudson v Overman (Civil) <b>Decision:</b> Dismissed	Alamance 03CVS1925	McGee
04-1353-1	State v Savaria (Criminal) <b>Decision:</b> Reversed	Buncombe 03CRS16441	McGee
04-192-1	State v Silva (Criminal) <b>Decision:</b> No error	Cumberland 01CRS65526	Bryant
04-888-1	State v Kallie (Criminal) <b>Decision:</b> Reversed and remanded	Cumberland 02CRS53048 02CRS54119	Bryant
04-1227-1	State v Gilbert (Criminal) <b>Decision:</b> No error	Davidson 03CRS59079 03CRS10727	McGee
04-1403-1	State v Green (Criminal) <b>Decision:</b> No error	Durham 03CRS55355 04CRS45501	Bryant
04-805-1	Babb, et al v Graham, et al (Civil) <b>Decision:</b> Affirmed	Forsyth 02CVS1091	Timmons-Goodson
04-1248-1	Blue Ridge Health Inv. v Mars Systems (Civil) <b>Decision:</b> Affirmed	Forsyth 04CVD964	McCullough
04-1302-1	Stroud v Williams, Roberts, Young, Inc. (Civil) <b>Decision:</b> Affirmed	Forsyth 02CVS7327	Steelman
04-1435-1	State Farm v Palmer Corp. (Civil) <b>Decision:</b> Dismissed	Forsyth 04CVS1475	McGee
04-1576-1	State v Oglesby (Criminal) <b>Decision:</b> Vacated and remanded	Forsyth 01CRS61029 01CRS60765 01CRS36365 01CRS60766	McGee
04-1099-1	State v Fields (Criminal) <b>Decision:</b> No error	Granville 03CRS50597	Bryant
04-1080-1	State v Jordan (Criminal) <b>Decision:</b> No error	Guilford 03CRS79074	Bryant
04-1390-1	In re: Y.U.,S.U.,I.U. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 03J28 03J26 03J27	McCullough
04-1398-1	Buchanan v High Point (Civil) <b>Decision:</b> Dismissed	Guilford 03CVS8693	Levinson

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04-1112-1	State v Cotten (Criminal) <b>Decision:</b> No error	Halifax 02CRS57253	McCullough
04-1410-1	State v Crew (Criminal) <b>Decision:</b> Affirmed	Harnett 03CRS54102 03CRS54055 04CRS413 03CRS54101	McGee
04-1437-1	State v Leatherwood (Criminal) <b>Decision:</b> Affirmed	Haywood 00CRS3896 00CRS3299 00CRS5250 00CRS3644	McGee
04-1143-1	In re: K.N.N. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Iredell 01J205	Bryant
04-1243-1	In re: A.D.W. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Lee 04J15	Martin
04-1087-1	State v Oaks (Criminal) <b>Decision:</b> No error	McDowell 03CRS50567 03CRS50568	Bryant
04-937-1	State v Cannon (Criminal) <b>Decision:</b> Appeal dismissed	Mecklenburg 94CRS60232	McGee
04-945-1	State v Johnson (Criminal) <b>Decision:</b> No error	Mecklenburg 01CRS162278 00CRS40922 01CRS162279 00CRS40923 01CRS162280	Geer
04-1168-1	State v Rogers (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS208250 02CRS208248 02CRS208251 02CRS208249	Steelman
04-1236-1	State v Zimmerman (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 04CVD7584	McGee
04-1237-1	State v Jeffers (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 04CVD7239	McGee
04-1461-1	State v Gaines (Criminal) <b>Decision:</b> Affirmed	Montgomery 01CRS51921	McGee
04-1004-1	Kirkpatrick v Town of Aberdeen (Civil) <b>Decision:</b> Affirm	Moore 03CVS495	Bryant
04-1399-1	Mathewson v Carter (Civil) <b>Decision:</b> Affirmed	Moore 01CVS1255	McCullough
04-1488-1	State v Horton (Criminal) <b>Decision:</b> No error	Moore 03CRS55149 04CRS05090	Bryant
04-1256-1	Sees v Cleveland Container Service (Civil)	N.C. Industrial Commission IC191347	Wynn, Jr.

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	<b>Decision:</b> Affirmed		
04-1600-1	Brown v Brown (Civil)	New Hanover 96CVD280	Levinson
	<b>Decision:</b> Vacated		
04-1305-1	Robeson County D.S.S. v McGeachy (Civil)	Robeson 98CVD1569	Bryant
	<b>Decision:</b> No error		
04-218-1	Mabe v Montague (Civil)	Stokes 02CVS164	Bryant
	<b>Decision:</b> We affirm the trial court's judgment as to defendant's appeal and plaintiff's cross-appeal		
04-1270-1	State v Buchanan (Criminal)	Swain 01CR153	Bryant
	<b>Decision:</b> Reversed		
04-1154-1	Brown v Brown (Civil)	Wake 01CVD6280	Levinson
	<b>Decision:</b> Reversed and remanded		
04-1319-1	State v Joyner (Criminal)	Wilson 01CRS6108	Bryant
	<b>Decision:</b> No error		