

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 JULY 2005)**  
**(MANDATE 8 AUGUST 2005)**

Docket #	Title	County	Judge
04-1160-1	State v Brewer (Criminal) <b>Decision:</b> No Error in the trial.02CRS55580 Remanded for correction of clerical error. 02CRS55606 Remanded for correction of clerical error.	Alamance	Martin
04-406-1	In Re: A.E. & J.E. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe	Geer
04-471-1	In re: C.L.C.&K.T.R.&A.M.R.&E.A.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe	Geer
04-1241-1	State v Duff (Criminal) <b>Decision:</b> Reversed and remanded in part; vacated in part; no error in part	Buncombe	Timmons-Goodson
04-280-1	Cunningham v Cunningham (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Craven	Calabria
04-1273-1	Pope v Cumberland County Hospital (Civil) <b>Decision:</b> Reversed	Cumberland	Elmore
04-1497-1	Alexander v Cumberland Co. B.O.E. (Civil) <b>Decision:</b> Affirmed	Cumberland	Hunter
04-338-1	Daniels v Durham County Hospital Corp. (Civil) <b>Decision:</b> Affirmed	Durham	Geer
04-1474-1	Hernandez v Nationwide Mutual Ins. Co. (Civil) <b>Decision:</b> Affirmed	Edgecombe	Hudson
04-735-1	Dean v Hill (Civil) <b>Decision:</b> Reversed and remanded	Gaston	Jackson
02-1512-2	State v Dennison (Criminal) <b>Decision:</b> No error	Guilford	Elmore
04-154-1	Little v Omega Meats I, Inc. (Civil) <b>Decision:</b> Affirmed	Guilford	Steelman
04-209-1	State v McCoy (Criminal) <b>Decision:</b> Appeal dismissed. Petition for Writ of Certiorari denied	Guilford	Steelman
04-665-1	State v Bullock (Criminal) <b>Decision:</b> Remanded for new sentencing hearing	Guilford	Martin
04-821-1	State v Tutt (Criminal) <b>Decision:</b> Affirmed	Guilford	Wynn, Jr.

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04-1266-1	Clark v Foust-Graham (Civil) <b>Decision:</b> Affirmed	Guilford	McCullough
04-1679-1	Jack H. Winslow Farms v Dedmon (Civil) <b>Decision:</b> Affirmed	Halifax	Elmore
04-933-1	State v Phillips (Criminal) <b>Decision:</b> No error	Iredell	Tyson
04-907-1	State v Burns (Criminal) <b>Decision:</b> Judgment arrested	Mecklenburg	Steelman
04-923-1	In Re: O.C. & O.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg	Levinson
04-1211-1	In Re: D.W. (Juvenile - Criminal) <b>Decision:</b> No error	Mecklenburg	Martin
04-1133-1	Total Renal Care v Bio-Med Applic. (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Elmore
04-886-1	Goodson v Glatfelter Co., et al (Civil) <b>Decision:</b> Affirmed in part and reversed in part	N.C. Industrial Commission	Calabria
04-916-1	Simmons v Columbus Cty. BOE (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Elmore
04-1180-1	Brown, et al v Centex Homes, et al (Civil) <b>Decision:</b> Reversed and remanded	Orange	Tyson
04-902-1	In Re: K.C.G. & J.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, Reversed in part and remanded	Rockingham	Tyson
04-1349-1	In Re: C.E.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Rutherford	McGee
04-911-1	McGladrey, et al v NC State Bd of CPAE (Civil) <b>Decision:</b> Affirmed	Wake	Tyson
04-1264-1	State v Champion (Criminal) <b>Decision:</b> No error	Wake	Timmons-Goodson
04-1480-1	State v Curmon (Criminal) <b>Decision:</b> No error as to trial; remanded for striking of restitution provision in the judgment	Wake	Steelman
04-776-1	State v Curry (Criminal) <b>Decision:</b> No error	Wilkes	Tyson

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04-1132-1	State v Harris (Criminal) <b>Decision:</b> No error	Alamance 03CRS52704,03CRS55420	Bryant
04-1359-1	Walker v Tippet (Civil) <b>Decision:</b> Affirmed	Anson 04CVS243	Timmons-Goodson
04-1152-1	In Re: J.S.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 99J79F	Levinson
04-1507-1	State v Perez (Criminal) <b>Decision:</b> No error	Carteret 04CRS50247	Bryant
04-1153-1	In Re: M.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 01J243	Martin
04-1422-1	Westwood Ind. v Aesthetic, Inc. (Civil) <b>Decision:</b> Appeal dismissed	Catawba 01CVS2552	Hudson
04-1531-1	In Re: L.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 02J281	Hudson
04-1190-1	State v McTaggart (Criminal) <b>Decision:</b> Vacated and remanded for a new trial	Cherokee 03CRS2432	Timmons-Goodson
04-1438-1	State v Longs (Criminal) <b>Decision:</b> Affirmed; remanded for correction of clerical error in the judgment	Columbus 02CRS50911,02CRS1261,02- CRS50910	Steelman
04-358-1	State v Herndandez (Criminal) <b>Decision:</b> No error	Cumberland 01CRS54636	Geer
04-425-1	State v Coffin (Criminal) <b>Decision:</b> Motion for Appropriate Relief is granted. Remanded for Resentencing.	Durham 01CRS50252	Levinson
04-962-1	State v Holman (Criminal) <b>Decision:</b> No error	Durham 02CRS045019,03CRS013559	Bryant
04-1321-1	In Re: R.H. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Durham 04J56	Hudson
04-1375-1	State v Beatty (Criminal) <b>Decision:</b> No prejudicial error	Durham 02CRS44625	Tyson
04-1309-1	State v Pollard (Criminal) <b>Decision:</b> No error	Edgecombe 02CRS53138	Hudson
04-851-1	Adams v Adams (Civil) <b>Decision:</b> Affirmed	Forsyth 00CVD7602	McGee

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04-1255-1	State v Prince (Criminal) <b>Decision:</b> No error	Forsyth 02CRS60410,03CRS105	Bryant
04-1465-1	State v Truesdale (Criminal) <b>Decision:</b> No error	Forsyth 03CRS37610	Hudson
04-976-1	Skeen v Sports Authority (Civil) <b>Decision:</b> Dismissed	Gaston 02CVS2186	Tyson
04-1039-1	State v Robbins (Criminal) <b>Decision:</b> Vacated and remanded	Guilford 03CRS75175,03CRS75173,- 03CRS75176,03CRS75174	Bryant
04-1276-1	State v Williams (Criminal) <b>Decision:</b> No error	Guilford 02CRS105954	Hunter
04-1303-1	State v Rathbone (Criminal) <b>Decision:</b> No error	Haywood 03CRS1767	Tyson
04-1582-1	State v Ball (Criminal) <b>Decision:</b> No error	Henderson 03CRS55975,04CRS2631	Hudson
04-1212-1	In Re: M.T.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Lee 03J43	Bryant
04-1512-1	State v Dunn (Criminal) <b>Decision:</b> No error	Lenoir 03CRS53866	Elmore
04-1523-1	Noblot v Timmons (Civil) <b>Decision:</b> Dismissed	Lincoln 03CVS222	Hudson
04-1328-1	In Re: K.L.S. & D.L.C. & C.M.C. (Juvenile - 3.1) <b>Decision:</b> Remanded	McDowell 01J90,01J88,01J89	McGee
04-1032-1	Norman v Branner (Civil) <b>Decision:</b> Affirmed	Mecklenburg 02CVS755	McGee
04-1420-1	State v Ivey (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 02CRS240940,02CRS240941	Hudson
04-861-1	Powers v APAC-Carolina/Barrus, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC084629	Bryant
04-1177-1	Daugherty v Mountain Constr. Enter. (Civil) <b>Decision:</b> Appeal dismissed	N.C. Industrial Commission IC120931	Jackson
04-1218-1	Page v UNC-Chapel Hill (Civil) <b>Decision:</b> Dismissed	N.C. Industrial Commission IC696704 IC055882	McGee
04-1262-1	Morton v NC DOC (Civil)	N.C. Industrial Commission ICTA17130	Bryant

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	<b>Decision:</b> Affirmed		
04-1297-1	Faison v American National Can Co. (Civil)	N.C. Industrial Commission IC628691	Timmons-Goodson
	<b>Decision:</b> Affirmed in part, Remanded in Part		
04-1473-1	Jones v Georgia Pacific (Civil)	N.C. Industrial Commission IC132183	Bryant
	<b>Decision:</b> Dismissed		
04-1525-1	State v Key (Criminal)	Nash 02CRS50991	Hudson
	<b>Decision:</b> Dismissed		
04-380-1	Weisberg v Griffith (Civil)	New Hanover 02CVD3939	McGee
	<b>Decision:</b> Affirmed in part, vacated in part and remanded		
04-1471-1	State v Lutterloah (Criminal)	New Hanover 01CRS13586	Steelman
	<b>Decision:</b> No error		
04-883-1	Brode v Sweetwater, et al (Civil)	Onslow 01CVS788	Elmore
	<b>Decision:</b> Affirmed		
04-1444-1	Lifetime Windows v McLawhon (Civil)	Pitt 02CVD1903	Hudson
	<b>Decision:</b> Dismissed		
04-1492-1	State v Doelman (Criminal)	Pitt 03CRS65557,03CRS65794,- 03CRS65558,03CRS65556,- 03CRS65559	Hudson
	<b>Decision:</b> No error		
04-732-1	State v Marsh (Criminal)	Randolph 01CRS53837	Martin
	<b>Decision:</b> No error, remanded with instructions		
04-1479-1	State v Scott (Criminal)	Robeson 02CRS55918	Steelman
	<b>Decision:</b> No error		
04-1232-1	State v Shabazz (Criminal)	Rowan 03CRS11944,03CRS57917,0- 3CRS11943	Bryant
	<b>Decision:</b> No error		
04-1253-1	In Re: J.D. (Juvenile - Criminal)	Sampson 03J87	Bryant
	<b>Decision:</b> Vacated and remanded for additional findings of fact		
04-1233-1	State v Jones (Criminal)	Scotland 02CRS51328	Hudson
	<b>Decision:</b> No error		
04-1569-1	State v Mollere (Criminal)	Wake 03CRS44290,03CRS44288,- 03CRS44289	Hudson
	<b>Decision:</b> No error		
04-266-1	State v Williams (Criminal)	Wayne 03CRS2859,03CRS50173,0- 2CRS54559	Levinson
	<b>Decision:</b> Remanded		

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04-1363-1	State v Lemaster (Criminal) <b>Decision:</b> No error	Wayne 03CRS57329	Hudson
04-1021-1	In Re: T.C.,T.C.,T.C.,T.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wilkes 98J132,98J130,02J193,98J131	Bryant
04-926-1	Gough v NC State Bd. of Exam'r (Civil) <b>Decision:</b> Affirmed	Yadkin 03CVS75	Hunter
04-1550-1	State v Hayes (Criminal) <b>Decision:</b> Motion denied; judgment affirmed	Yadkin 03CRS51280,03CRS51104,0-3CRS51275,03CRS51098,0-4CRS145,03CRS51278,03CRS51101,03CRS51274	Hudson