

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 4 OCTOBER 2005)**  
**(MANDATE 24 OCTOBER 2005)**

Docket #	Title	County	Judge
04-642-1	State v Moore (Criminal) <b>Decision:</b> No prejudicial error. Remanded for resentencing.	Buncombe	Hunter
04-757-1	Sutton, et al v Messer, et al (Civil) <b>Decision:</b> Reversed and remanded with instructions	Buncombe	Jackson
04-1675-1	State v Highsmith (Criminal) <b>Decision:</b> No error	Craven	Hudson
04-449-1	Susi v Aubin (Civil) <b>Decision:</b> Vacated and remanded	Davidson	Geer
04-450-1	North Country Dev. v Aubin (Civil) <b>Decision:</b> Vacated and remanded	Davidson	Geer
05-71-1	In the Matter of: S.B.M (Juvenile - 3.1) <b>Decision:</b> Affirmed	Durham	Steelman
04-1508-1	In the matter of the Estate of Newton (Civil) <b>Decision:</b> Affirmed	Forsyth	Timmons-Goodson
04-1174-1	Oakes v Wooten (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Guilford	Hunter
04-1280-1	In Re: J.W., K.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett	Hunter
04-1282-1	Collins v Estate of: Collins (Civil) <b>Decision:</b> Reversed and remanded	Lincoln	Elmore
04-1274-1	Coleman v Hillsborough (Civil) <b>Decision:</b> Affirmed	Orange	Jackson
04-1671-1	State v Belcher (Criminal) <b>Decision:</b> No error in part; remanded in part	Pitt	Timmons-Goodson
04-1187-1	Morgan v Steiner (Civil) <b>Decision:</b> Affirmed in part; Reversed in part and remanded	Richmond	Timmons-Goodson
04-780-1	Hilliard v NC DOC (Civil) <b>Decision:</b> Affirmed	Rowan	Hudson
05-54-1	Gattis v Scotland County BOE (Civil) <b>Decision:</b> Affirmed	Scotland	Wynn, Jr.
04-1414-1	Windman v Britthaven, Inc. (Civil) <b>Decision:</b> Affirmed	Vance	Wynn, Jr.

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04-1134-1	State v Ross (Criminal) <b>Decision:</b> No error	Wake	Calabria
04-1141-1	Coley v State (Civil) <b>Decision:</b> Affirmed	Wake	McGee
04-1472-1	McLamb v T.P., Inc. (Civil) <b>Decision:</b> Affirmed	Wake	McCullough
04-1226-1	In Re: As.L.G. & Au.R.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wilkes	Elmore
04-1356-1	In Re: T.R.P. (Juvenile - 3.1) <b>Decision:</b> Vacated and dismissed	Wilkes	Hunter
05-118-1	Boggess v Spencer (Civil) <b>Decision:</b> Affirmed	Wilkes	Tyson

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04-1476-1	State v Teaster (Criminal) <b>Decision:</b> Affirmed	Avery 03CRS753	Wynn, Jr.
04-1708-1	State v Raines (Criminal) <b>Decision:</b> Affirmed	Buncombe 03CRS18023 03CRS58279 03CRS18024 03CRS58280 03CRS57664	Hunter
04-1728-1	Cunningham v Rowell (Civil) <b>Decision:</b> Dismissed	Buncombe 04CVD2746	Hunter
05-86-1	State v Wright (Criminal) <b>Decision:</b> No error	Forsyth 04CRS51647	Hunter
04-1713-1	State v Verrett (Criminal) <b>Decision:</b> No error	Gaston 02CRS66717 02CRS66696 02CRS66716	Hunter
05-35-1	State v Bellamy (Criminal) <b>Decision:</b> No error	Gaston 01CRS60246 02CRS8653	Steelman
04-1640-1	State v Nickerson (Criminal) <b>Decision:</b> No error	Granville 02CRS54672	McCullough
04-918-1	Elkins v Greensboro B.O.A. (Civil) <b>Decision:</b> Reversed and remanded	Guilford 03CVS13096	Calabria
05-90-1	State v Henry (Criminal) <b>Decision:</b> No error	Guilford 03CRS105734 03CRS105658 03CRS105735 03CRS105733	Hunter
04-1593-1	State v Jarrell (Criminal) <b>Decision:</b> No error in part; Dismissed without prejudice in part	Halifax 03CRS57650 03CRS57651	Wynn, Jr.
04-999-1	Bruning v Mills, et al (Civil) <b>Decision:</b> Affirmed	Iredell 02CVS2239	Calabria
04-267-1	State v Ley (Criminal) <b>Decision:</b> No error	Johnston 00CRS56847 01CRS8383 00CRS56845 00CRS56848 00CRS56846 00CRS56851	Hudson
05-29-1	State v Johnson (Criminal) <b>Decision:</b> No error	Lee 03CRS50661 03CRS775	Hunter
04-1709-1	In Re: M.B. & E.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg 03J952 03J953	McCullough
04-1644-1	Bio Medical Applications v NCDHHS (Civil)	N.C. Dept. of Health & Human Svcs 03DHR1553	Elmore

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	<b>Decision:</b> Affirmed		
04-1431-1	Munford v Neuse Senior Housing (Civil)	N.C. Industrial Commission IC228995 IC264682	McGee
	<b>Decision:</b> Remanded		
04-1676-1	Johnson v Magnetti-Marelli (Civil)	N.C. Industrial Commission IC162623	Wynn, Jr.
	<b>Decision:</b> Affirmed		
04-1692-1	In The Matter of: D.B.B. (Juvenile - Criminal)	New Hanover 04J231	McCullough
	<b>Decision:</b> Reversed and remanded		
05-223-1	State v Boyd (Criminal)	New Hanover 03CRS1598 03CRS1601	Hunter
	<b>Decision:</b> Affirmed		
05-30-1	State v Moss (Criminal)	Person 01CRS4790 00CRS6799 01CRS50629 00CRS6800	Tyson
	<b>Decision:</b> Remanded		
04-917-1	State v Ebron (Criminal)	Pitt 03CRS9847 03CRS57799	Geer
	<b>Decision:</b> No error in part; remanded for a new sentencing hearing in part		
04-1672-1	State v Davis (Criminal)	Richmond 03CRS54170	Hunter
	<b>Decision:</b> No error in the trial. Remanded for corrections.		
04-1325-1	In Re: J.B., A.B. (Juvenile - 3.1)	Rockingham 03J88 03J89	McGee
	<b>Decision:</b> Affirmed		
05-145-1	State v Murphy (Criminal)	Rockingham 04CRS50356	Hunter
	<b>Decision:</b> No error		
05-116-1	In Re: T.A.T. (Juvenile - 3.1)	Rowan 04J1	Hunter
	<b>Decision:</b> Affirmed		
04-1231-1	State v Peguse & Burch & Hickmon (Criminal)	Union 01CRS51900 01CRS51898 01CRS51923 01CRS51920 01CRS51906 01CRS51928 01CRS13665 01CRS52391 01CRS51916 01CRS51902 01CRS51926 01CRS51921 01CRS51907 01CRS52390 01CRS51901 01CRS51919 01CRS51905 01CRS51927 01CRS52328	Elmore
	<b>Decision:</b> No error in part; reversed in part		
04-1609-1	State v Boulware (Criminal)	Union 03CRS3226 02CRS55688 03CRS4456 03CRS50328	McCullough
	<b>Decision:</b> No error		
04-70-1	State v Royster (Criminal)	Vance 99CRS7744 99CRS7745 99CRS7745 99CRS7744	Elmore
	<b>Decision:</b> Reversed in part; remanded for resentencing		
04-337-1	Kincheloe v Leeds Group & Gamble (Civil)	Wake 97CVS11839	Geer

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	<b>Decision:</b> Affirmed		
04-340-1	State v McNeill and Ellis (Criminal)	Wake 03CRS44481 03CRS44523	Geer
	<b>Decision:</b> No error in part; remanded for a new sentencing hearing in part		