

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 1 NOVEMBER 2005)
(MANDATE 21 NOVEMBER 2005)

Docket #	Title	County	Judge
03-1599-2	In the Matter of: B.D. (Juvenile - 3.1) Decision: Affirmed	Buncombe	Timmons-Goodson
04-1667-1	Uhrig v Madaras (Civil) Decision: Affirmed	Buncombe	Steelman
04-1605-1	State v McHone (Criminal) Decision: In 00CRS19019, reversed and remanded for a new trial. In 01CRS19538, no error	Cabarrus	Levinson
05-129-1	State v Hall (Criminal) Decision: No error	Cabarrus	Tyson
04-1213-1	State, Ex Rel, Gillikin v McGuire (Civil) Decision: Affirmed in part, reversed and remanded in part	Carteret	Bryant
05-102-1	Boykin v IPBI Kim (Civil) Decision: No error	Cumberland	McCullough
04-1220-1	D.W.H. Painting v D.W. Ward Constr. (Civil) Decision: Affirmed	Durham	Calabria
04-1443-1	State v Massey (Criminal) Decision: 03CRS56199 First-Degree Sexual Offense, No error in the trial, remanded for a new sentencing hearing. 03CRS56199 First-Degree Sexual Offense, No error in trial, remanded for a new sentencing hearing. 03CRS56199 First-Degree Sexual Offense, No error in the trial, remanded for a new sentencing hearing. 03CRS56200 First-Degree Sexual Offense, No error in the trial, remanded for a new sentencing hearing. 03CRS56200 First-Degree Sexual Offense, No error in the trial, remanded for a new sentencing hearing. 03CRS56203 Sex Offense - Parental Role, No error in the trial, remanded for a new sentencing hearing. 03CRS56205 Sex Offense - Parental Role, No error in the trial, remanded for a new sentencing hearing. 03CRS56202 Sex Offense - Parental Role, New Trial. 03CRS56202 Sex Offense - Parental Role, New trial. 03CRS56202 Sex Offense - Parental Role, New Trial. 03CRS56203 Sex Offense - Parental Role, New Trial. 03CRS56203 Sex Offense - Parental Role, New Trial. 03CRS56204 Sex Offense - Parental Role, New Trial. 03CRS56204 Sex Offense - Parental Role, New Trial. 03CRS56204 Sex Offense - Parental Role, New Trial. 03CRS56204 Sex Offense - Parental Role, New Trial. 03CRS56205 Indecent Liberties, New Trial. 03CRS56205 Indecent Liberties, New Trial. 03CRS56207 Indecent Liberties, New Trial. 03CRS56207 Indecent Liberties, New Trial.	Forsyth	Martin
04-1732-1	Reaves v Hayes (Civil) Decision: New trial	Guilford	McCullough

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04-1008-1	Good Hope Hospital v NC DHHS (Civil) Decision: Affirmed	Harnett	Steelman
04-1370-1	State v McVay (Criminal) Decision: No error	Jackson	Bryant
04-1061-1	Montgomery v Toastmaster (Civil) Decision: Affirmed	N.C. Industrial Commission	Wynn, Jr.
05-44-1	Black v Black (Civil) Decision: Vacated	New Hanover	Martin
04-86-1	Dixon v Hill (Civil) Decision: Dismissed in part, affirmed in part, reversed and remanded in part	Robeson	Geer
04-929-1	NC Bd. of Pharm. v Rules Review Comm (Civil) Decision: Affirmed	Wake	Bryant
04-1367-1	McCoy v Coker (Civil) Decision: Affirmed in part, Reversed and Remanded in part	Wayne	Steelman

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04-1729-1	In Re: L.T.M.,K.R.M.,C.R.M. (Juvenile - 3.1) Decision: Affirmed	Cabarrus 02J138,02J136,02J137	McGee
05-372-1	Scott v Fairbanks Capital Corp. (Civil) Decision: Appeal dismissed	Cabarrus 04CVS309	Wynn, Jr.
04-1651-1	Wendt v Thomas (Civil) Decision: Dismissed	Carteret 03CVS1370	Levinson
04-1702-1	In the Matter of: K.N.O. & A.R.O. (Juvenile - 3.1) Decision: Affirmed	Catawba 03J33,03J34	McGee
04-1662-1	State v Middlebrooks (Criminal) Decision: No error	Cleveland 01CRS8796,01CRS56766	Lewis, Jr.
05-41-1	State v Sanford (Criminal) Decision: No error	Cleveland 00CRS8143	Steelman
04-1714-1	Ammons v Yates (Civil) Decision: Reversed	Cumberland 03CVS7172	Timmons-Goodson
05-252-1	State v Heintz (Criminal) Decision: Remanded for resentencing	Cumberland 02CRS57998-01	Levinson
05-246-1	Ward v Wachovia Bank (Civil) Decision: Affirmed	Forsyth 04CVS3825	Wynn, Jr.
05-281-1	State v Rumph (Criminal) Decision: No error	Gaston 03CRS67190,03CRS67185,- 03CRS67188,04CRS288,03- CRS68925,03CRS67189,04- CRS12391,03CRS67187	Wynn, Jr.
04-791-1	State v Fracheur (Criminal) Decision: Remanded for resentencing	Guilford 03CRS24657,03CRS94977	Calabria
05-62-1	Tran v Nguyen (Civil) Decision: Affirmed	Guilford 03CVS5480	Lewis, Jr.
05-487-1	In the Matter of: B.S.J. (Juvenile - 3.1) Decision: Affirmed	Halifax 02J67	Wynn, Jr.
04-1617-1	State v Freeman (Criminal) Decision: No error	Lenoir 03CRS54752,04CRS311	Martin
05-152-1	In Re: M.C. (Juvenile - 3.1) Decision: Affirmed	Lenoir 04J36	Smith
05-181-1	Al-Ashmali v Ali (Civil)	Lenoir 04CVD593	Tyson

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	Decision: Affirmed		
05-186-1	In the Matter of: B.A.T. (Juvenile - Criminal)	McDowell 04J22	McCullough
	Decision: Affirmed in part; dismissed in part		
04-1649-1	MLA Enterprises, LLC v NC DMV (Civil)	Mecklenburg 03CVS20639	Wynn, Jr.
	Decision: Affirmed		
04-1668-1	State v Bryant (Criminal)	Mecklenburg 03CRS224979,03CRS224951	Elmore
	Decision: No error		
05-164-1	Kintz v Amerlink (Civil)	Nash 02CVS2041	Smith
	Decision: Affirmed		
04-1568-1	State v Apple (Criminal)	Orange 03CRS52052,03CRS51996,- 03CRS54490,03CRS52039,- 03CRS51991,03CRS52073,- 03CRS52033,03CRS51983,- 03CRS52067,03CRS52010,- 03CRS52057,03CRS52002,- 03CRS52047,03CRS51994,- 03CRS54486,03CRS52037,- 03CRS51986,03CRS52071,- 03CRS52018,03CRS51981,- 03CRS52063,03CRS52006,- 03CRS52053,03CRS51997,- 03CRS52040,03CRS51992,- 03CRS54480,03CRS52034,- 03CRS51984,03CRS52068,- 03CRS52014,03CRS52059,- 03CRS52003,03CRS52050,- 03CRS51995,03CRS54489,- 03CRS52038,03CRS51987,- 03CRS52072,03CRS52028,- 03CRS51982,03CRS52066,- 03CRS5209,03CRS52054,0- 3CRS51998,03CRS52043,0- 3CRS51993,03CRS54481,0- 3CRS52036,03CRS51985,0- 3CRS52070,03CRS52016,0- 3CRS52060,03CRS52005	Calabria
	Decision: Remanded for resentencing		
05-24-1	Barber v Burke (Civil)	Pender 03CVS240	Timmons-Goodson
	Decision: Reversed		
05-225-1	State v Wheeler (Criminal)	Pitt 04CRS11216	Wynn, Jr.
	Decision: No error		
04-1482-1	State v Moore (Criminal)	Wake 01CRS81075,01CRS81841	Geer
	Decision: No error		
05-154-1	State v Jones (Criminal)	Wake 04CRS17767,04CRS17768	Wynn, Jr.
	Decision: No error		
05-40-1	Harrell v Heaton (Civil)	Watauga 03CVS728	Lewis, Jr.
	Decision: Dismissed		

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05-132-1	In Re: K.J.H. (Juvenile - 3.1) Decision: Affirmed	Wayne 03J51	McGee
05-297-1	State v Godwin (Criminal) Decision: No error	Wayne 03CRS59688	Wynn, Jr.
04-1705-1	In the Matter of: M.S. (Juvenile - 3.1) Decision: Affirmed	Wilkes 00J33	Levinson
05-25-1	State v Bullard (Criminal) Decision: Affirmed	Wilkes 02CRS50444,01CRS54213,- 02CRS50422	Wynn, Jr.