

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 15 NOVEMBER 2005)**  
**(MANDATE 5 DECEMBER 2005)**

Docket #	Title	County	Judge
04-1380-1	State v Jordan (Criminal) <b>Decision:</b> No error	Alamance	Geer
04-1684-1	In Re: L.O.K.,J.K.W.,T.L.W.&T.L.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alamance	Geer
05-169-1	State v Cave (Criminal) <b>Decision:</b> No error	Alamance	Wynn, Jr.
05-218-1	In Re: E.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, Vacated in Part, and Remanded	Alamance	Tyson
04-1621-1	State v Locklear (Criminal) <b>Decision:</b> No prejudicial error	Brunswick	McGee
04-1045-1	Roberts v McAllister (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Buncombe	Bryant
05-211-1	State v McMahan (Criminal) <b>Decision:</b> Vacated and remanded for New Sentencing Hearing	Cabarrus	Tyson
04-1698-1	Hill, et al v Taylor (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Carteret	McGee
04-567-1	State v Myers & Coleman (Criminal) <b>Decision:</b> Affirmed	Cumberland	Hudson
04-1429-1	State v Renfro (Criminal) <b>Decision:</b> No error	Cumberland	Bryant
05-8-1	Helsius v Robertson (Civil) <b>Decision:</b> Affirm	Durham	Jackson
04-1179-2	Miller v Forsyth Memorial Hosp. (Civil) <b>Decision:</b> No error as to trial. As per previous opinion, affirmed in part and reversed and remanded in part as to costs ordered.	Forsyth	Steelman
05-60-1	State v Dent (Criminal) <b>Decision:</b> No error	Forsyth	Smith
05-64-1	State v Hoover (Criminal) <b>Decision:</b> No error	Forsyth	Hudson
05-127-1	State v Garcia (Criminal) <b>Decision:</b> No error	Forsyth	Wynn, Jr.

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05-150-1	State v Inman (Criminal) <b>Decision:</b> No error	Guilford	McCullough
05-234-1	State v Stokes (Criminal) <b>Decision:</b> No error	Guilford	Tyson
05-204-1	Ferguson v DDP Pharmacy (Civil) <b>Decision:</b> Affirmed	Halifax	Tyson
05-31-1	BellSouth v Henderson County (Civil) <b>Decision:</b> Reversed	Henderson	Steelman
04-1596-1	Falkson v Clayton Land Corp. (Civil) <b>Decision:</b> Reversed	Hyde	Jackson
04-995-1	Williams v Nationwide Mutual Ins. Co. (Civil) <b>Decision:</b> Affirmed	Lenoir	Bryant
04-1618-1	MMR Holdings v Charlotte (Civil) <b>Decision:</b> Reversed and remanded	Mecklenburg	Geer
05-363-1	In The Matter of: L.C.& A.N. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
04-1646-1	Mayfield v Hannifin (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	N.C. Industrial Commission	Geer
04-1656-1	Lewis v Craven Regional Medical Center (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Martin
05-343-1	Haley v ABB, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Bryant
04-1504-1	State v Edwards (Criminal) <b>Decision:</b> No error	Nash	Geer
04-742-2	Osetek v Jeremiah (Civil) <b>Decision:</b> Affirm	Wake	Bryant
04-1224-1	Central Telephone v Tolson (Civil) <b>Decision:</b> Affirmed	Wake	Jackson
04-1571-1	Rainey v St. Lawrence Homes, et al (Civil) <b>Decision:</b> Affirmed in part, reversed in part	Wake	Hudson
05-115-1	Hawley v Hobgood (Civil) <b>Decision:</b> Reversed and remanded	Wake	Wynn, Jr.
04-1711-1	Darbo v Old Keller Farm (Civil) <b>Decision:</b> Affirmed	Watauga	Jackson

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04-1630-1	Emily's Cookie Mix v Cora Ltd. P'ship (Civil) <b>Decision:</b> Affirmed	Alamance 03CVS1835	Elmore
05-271-1	Carpenter v Ratliff (Civil) <b>Decision:</b> Affirm	Anson 03CVD568	Bryant
04-1499-1	State v Jacobs (Criminal) <b>Decision:</b> No error	Bladen 03CRS1867 03CRS1869	Levinson
04-1079-1	State v Hankins (Criminal)  <b>Decision:</b> New trial	Brunswick 02CRS57594 02CRS57574 03CRS4606 02CRS57586 02CRS57572 02CRS57595 02CRS57580 03CRS3616 02CRS57587 02CRS57573 03CRS630 02CRS57576	Bryant
04-1185-1	State v Jones (Criminal) <b>Decision:</b> Affirmed	Buncombe 00CRS1097 00CRS51649	Geer
05-91-1	Vetere v Lepanto (Civil) <b>Decision:</b> Appeal dismissed	Buncombe 01CVD4759	Jackson
04-824-1	State v Williams (Criminal) <b>Decision:</b> No error	Cabarrus 02CRS7367 02CRS10596	Hudson
05-804-1	State v Lunsford (Criminal) <b>Decision:</b> Affirm judgments in case numbers 04CRS5020 and 04CRS5021; Remand for corrections judgment in case number 04CRS5022	Caldwell 04CRS5022 04CRS5020 04CRS5021	Tyson
05-325-1	Pake v Fry (Civil) <b>Decision:</b> Reversed	Carteret 04CVS101	Smith
04-983-1	State v Robinson (Criminal) <b>Decision:</b> No error	Catawba 03CRS54817	Geer
05-179-1	State v Scott (Criminal) <b>Decision:</b> No error	Catawba 03CRS15242 03CRS15243	Calabria
05-242-1	State v Geter (Criminal) <b>Decision:</b> No error	Catawba 04CRS50659 04CRS50660	McCullough
05-278-1	State v Flowers (Criminal) <b>Decision:</b> No error	Columbus 03CRS6687	Calabria
04-1350-1	State v Swanson (Criminal) <b>Decision:</b> No error	Craven 92CRS4438 92CRS4439	Bryant
05-250-1	State v Lancaster (Criminal) <b>Decision:</b> No error	Craven 03CRS55070 04CRS2853	Calabria

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04-1251-1	State v Breedlove (Criminal) <b>Decision:</b> No error	Davidson 03CRS3861 03CRS50411	Geer
04-1483-1	State v Yokley (Criminal) <b>Decision:</b> No error	Davidson 03CRS52173 03CRS3881 03CRS52172	Geer
05-159-1	In Re: A.C.J.&P.A.G.S. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Durham 04TPR6 04TPR7	Hudson
04-1064-1	State v Harris (Criminal) <b>Decision:</b> No error	Forsyth 02CRS10092 02CRS51618	Geer
04-1240-1	State v Turner (Criminal) <b>Decision:</b> No error	Forsyth 03CRS52880 03CRS24761	Geer
04-1699-1	State v Black (Criminal) <b>Decision:</b> Affirmed	Forsyth 97CRS15079	Calabria
04-1701-1	State v Suitt (Criminal) <b>Decision:</b> Affirmed	Forsyth 01CRS52541	Tyson
05-95-1	State v Celaya (Criminal) <b>Decision:</b> Affirmed	Forsyth 03CRS6168 02CRS63584 02CRS63585	Hunter
05-327-1	State v Wright (Criminal) <b>Decision:</b> No error	Forsyth 03CRS52528	Tyson
05-393-1	State v Leak (Criminal) <b>Decision:</b> No error in part; Vacated in part, and Remanded for Resentencing	Forsyth 04CRS51914	Tyson
05-480-1	State v Thomas (Criminal) <b>Decision:</b> No error	Forsyth 04CRS52708	Tyson
04-1277-1	State v Weaver (Criminal) <b>Decision:</b> No error	Gaston 03CRS63869 03CRS63870	Geer
05-19-1	State v Helms (Criminal) <b>Decision:</b> No error	Gaston 02CRS70069 02CRS70067 02CRS70093 02CRS70068 02CRS70063	Tyson
05-58-1	State v High (Criminal) <b>Decision:</b> No error	Gaston 02CRS6513 02CRS6524	Steelman
05-16-1	Campbell v Bowman (Civil) <b>Decision:</b> Affirmed	Guilford 03CVS8234	Elmore
05-106-1	In Re: J.M.&D.M.&K.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 03J299 03J297 03J298	McGee

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05-177-1	Ridge v Faulkner (Civil) <b>Decision:</b> Appeal dismissed	Guilford 03CVS10989	Elmore
04-1306-1	State v Parker (Criminal) <b>Decision:</b> No error	Halifax 03CRS58290 03CRS4685	Hudson
04-932-1	In Re: I.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 02J216	Geer
04-1455-1	State v Duarte (Criminal) <b>Decision:</b> Affirmed in part and remanded for resentencing	Henderson 03CRS52615	Jackson
05-460-1	State v Arias (Criminal) <b>Decision:</b> Affirmed	Henderson 02CRS4482 02CRS4483	Tyson
05-400-1	Maness v Westfalia-Surge (Civil) <b>Decision:</b> Affirmed	Iredell 04CVS810	Tyson
05-599-1	State v James (Criminal) <b>Decision:</b> Dismissed	McDowell 04CRS51249	Tyson
04-1611-1	State v Montgomery (Criminal) <b>Decision:</b> No error	Mecklenburg 03CRS240347 03CRS240348	Calabria
04-1718-1	Mecklenburg County v Rozumny Dev. (Civil) <b>Decision:</b> Affirmed	Mecklenburg 02CVS14113 02CVS16417	Hudson
05-59-1	State v Derbeck (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS214981 02CRS214614 02CRS214616	Martin
05-99-1	Adams v Wiggins (Civil) <b>Decision:</b> Affirmed in part, vacated in part and remanded for entry of a corrected order	Mecklenburg 99CVD18621	McCullough
05-139-1	State v Caldwell (Criminal) <b>Decision:</b> No error	Mecklenburg 02CRS235288 02CRS235275 02CRS235283 02CRS235273 02CRS235289 02CRS235281 02CRS235284 02CRS235274 02CRS235290 02CRS235282	Calabria
05-374-1	In The Matter of: B.R.H. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Mecklenburg 02J849	Calabria
04-1529-1	Roberts v Mills Mfg. Corp. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC936103	Steelman

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04-1719-1	Spano v Mail Contractors of America (Civil) <b>Decision:</b> Reversed	N.C. Industrial Commission IC186543	Martin
05-77-1	Sanders v Brad Farrah Pontiac (Civil) <b>Decision:</b> Affirmed in part and remanded	N.C. Industrial Commission IC063225	Lewis, Jr.
05-170-1	Surber v Rockingham County (Civil) <b>Decision:</b> Appeal dismissed	N.C. Industrial Commission IC310814	Jackson
04-1401-1	State v Penny (Criminal) <b>Decision:</b> No error	New Hanover 01CRS28582	Geer
05-568-1	State v Clay (Criminal) <b>Decision:</b> No error	New Hanover 04CRS56552	Calabria
04-1085-1	State v McDuffie (Criminal) <b>Decision:</b> No error	Randolph 01CRS57012 01CRS56974 01CRS57000	Geer
05-180-1	In Re: A.L.a/k/a A.H.,&L.L. a/k/a L.H. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Transylvania 01J46 01J47	Elmore
04-1506-1	State v Williams (Criminal) <b>Decision:</b> No error	Wake 02CRS88230 02CRS88233	Calabria
04-1511-1	State v Coppola (Criminal) <b>Decision:</b> No error	Wake 03CRS3701	Martin
04-1562-1	Proctor v McGinnis (Civil) <b>Decision:</b> No error	Wake 03CVS6450	Jackson
04-1680-1	State v Calhoun (Criminal) <b>Decision:</b> New trial	Wake 02CRS34228	Elmore
05-435-1	State v Fowler (Criminal) <b>Decision:</b> No error	Wake 03CRS51209	Bryant
05-366-1	State v Martin (Criminal) <b>Decision:</b> Dismissed	Watauga 02CRS3079	Calabria
04-1552-1	State v Triplett (Criminal) <b>Decision:</b> No error at trial. Remanded for resentencing.	Wilkes 02CRS54890	Calabria