IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 20 DECEMBER 2005)
(MANDATE 9 JANUARY 2006)

Docket #	Title	County	Judge
04-1066-1	N.C.D.H.R. v Jones (Civil) **Decision:** Reversed and remanded	Avery	Geer
05-14-1	ABL Plumbing v Bladen County (Civil) **Decision:** Affirmed	Bladen	McGee
05-105-1	In Re: J.A.A. & S.A.A. (Juvenile - 3.1) **Decision:** Affirmed	Buncombe	Steelman
05-148-1	State v Palmer (Criminal) **Decision:** Reversed	Buncombe	Wynn, Jr.
04-721-1	Ezell v Grace Hospital (Civil) **Decision:** Vacated and remanded	Burke	Hudson
05-337-1	Rowland v Rowland (Civil) **Decision:** Reversed and remanded	Cabarrus	McCullough
04-1641-1	Fucito v Frances (Civil) **Decision:** Vacated	Caldwell	Elmore
05-326-1	White v Carver (Civil) **Decision:** Appeal dismissed	Carteret	John, Sr.
05-404-1	Finova Capital Corp. v Beach Pharmacy (Civil) **Decision:** Affirmed in part, Reversed in part, and Remanded	Dare	Tyson
05-101-1	Estate of Vicky Barksdale (Civil) **Decision:** Affirmed	Durham	Jackson
05-353-1	Estate of Spell v Ghanem (Civil) **Decision:** Dismissed	Edgecombe	Levinson
05-82-1	In the Matter of E.T.S. (Juvenile - 3.1) **Decision:** Affirmed	Guilford	Steelman
05-286-1	State v Durham (Criminal) **Decision:** New trial	Guilford	Hudson
05-307-1	State v Pendleton (Criminal) **Decision:** No error	Guilford	Hudson
05-253-1	State v Crow (Criminal) **Decision:** No error	Hyde	Martin
05-292-1	County of Jackson v Nichols (Civil) **Decision:** Affirmed	Jackson	Tyson
05-202-1	Herring v Food Lion (Civil) **Decision:** Affirmed in part, Reversed in part	Lenoir	Tyson

Docket #	Title	County	Judge
05-72-1	Eugene Tucker Builders v Ford Motor Co. (Civil) **Decision:** Affirmed	Lincoln	Elmore
05-308-1	In Re: C.L.S. (Juvenile - 3.1) **Decision:** Dismissed	McDowell	Elmore
05-147-1	State v Stanley (Criminal) **Decision:** Affirmed	Mecklenburg	Jackson
05-155-1	Jirtle v Town of Biscoe (Civil) **Decision:** Affirmed	Montgomery	McGee
05-548-1	State v Gibson (Criminal) **Decision:** No error	Moore	Bryant
05-549-1	State v Blyther (Criminal) **Decision:** No error	Moore	Bryant
04-864-1	Davis v Columbus Cty. School, et al (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Hudson
05-256-1	Rhodes v Price Bros. (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Wynn, Jr.
05-477-1	Clark v Sanger Clinic (Civil) **Decision:** Affirmed	N.C. Industrial Commission	Bryant
05-149-1	State v Westbrook (Criminal) **Decision:** Affirmed	Onslow	Wynn, Jr.
05-410-1	State v Bradley (Criminal) **Decision:** Reversed and remanded for proceedings not inconsistent with this opinion	Pitt	Levinson
04-1642-1	Fix v City of Eden (Civil) **Decision:** Remanded	Rockingham	Calabria
05-112-1	Chatmon v NC DHHS (Civil) **Decision:** Dismissed in part; Remanded in part	Rowan	Wynn, Jr.
05-100-1	Welch Contracting v NC DOT (Civil) **Decision:** Affirmed	Swain	McGee
04-1657-1	Hodge v NC DOT (Civil) **Decision:** Affirmed	Wake	Martin
05-334-1	Royal v Dept. of Crime Control (Civil) **Decision:** Remanded	Wake	Wynn, Jr.
05-185-1	State v Sanchez (Civil) **Decision:** Reversed	Yadkin	Levinson

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04-1689-1	In Re: K.C. (Juvenile - 3.1)	Buncombe 03J268	Calabria
	Decision: Affirmed		
05-224-1	State v Powell (Criminal)	Buncombe 03CRS61347,03CRS61350	John, Sr.
	Decision: No error		
05-448-1	In the Matter of: B.I. (Juvenile - 3.1)	Buncombe 04J63	Tyson
	Decision: Affirmed		
05-413-1	Simmons v King (Civil)	Cabarrus 01CVS2578	Hudson
	Decision: Affirmed		
05-491-1	In The Matters of: M.I.S., S.M.S. (Juvenile - 3.1)	Cabarrus 03J92,03J93	Jackson
	Decision: Affirmed		
05-228-1	State v Burnette (Criminal)	Chatham 03CRS2233	Jackson
	Decision: Affirmed		
05-320-1	State v Brisbon (Criminal)	Cumberland 01CRS59967,01CRS59968	Tyson
	Decision: No error		
05-328-1	State v Edge (Criminal)	Cumberland 99CRS72618,99CRS72613,- 99CRS72616,99CRS72607,- 99CRS72619,99CRS72614,- 99CRS72617,99CRS72612,- 99CRS72615	Jackson
	Decision: No error		
04-1567-1	State v Obiorah (Criminal)	Durham 03CRS42976	Calabria
	Decision: No error		
04-1655-1	In Re: Robert Lee Dunn (Civil)	Durham 95E751	Calabria
	Decision: Appeal dismissed		
05-598-1	State v Johnson (Criminal)	Durham 03CRS47093,03CRS13562,- 03CRS13563	Jackson
	Decision: No error		
05-36-1	State v Pollard (Criminal)	Forsyth 04CRS54242	Hunter
	Decision: Remanded for resentencing		
05-128-1	State v Owens (Criminal)	Forsyth 04CRS59923	John, Sr.
	Decision: No error		
05-260-1	State v Mitchell (Criminal)	Forsyth 03CRS61810,03CRS61811	McCullough
	Decision: No prejudicial error		
05-415-1	State v Cameron (Criminal)	Forsyth 03CRS58293	Tyson
	Decision: No error		

Docket #	Title	County	Judge
05-429-1	Rhoades v Snyder (Civil)	Forsyth 03CVS4918	Jackson
	Decision: Appeal dismissed		
05-336-1	In Re: Foreclosure of Deed from Jordan (Civil)	Franklin 04SP138	Levinson
	Decision: Affirmed		
05-210-1	State v Rowe (Criminal)	Guilford 94CRS20097,94CRS11821	Steelman
	Decision: Affirmed		
05-249-1	State v Noble (Criminal)	Guilford 03CRS81331	Jackson
	Decision: No error		
05-496-1	Najjar v Najjar (Civil)	Guilford 03CVD5046	Bryant
	Decision: Vacated and remanded for further findings of fact		
05-122-1	In Re: C.L. Jr.,C.L. and C.L. (Juvenile - 3.1)	Johnston 03J134,03J132,03J133	McCullough
	Decision: Affirmed		
05-390-1	Smith v Coon (Civil)	Macon 02CVS173	McCullough
	Decision: Affirmed		
04-905-1	Johnson v Johnson (Civil)	Martin 01CVD701	Calabria
	Decision: Affirmed		
04-1654-1	State v Hillier (Criminal)	Mecklenburg 01CRS50680	Jackson
	Decision: No error		
05-53-1	State v Allen (Criminal)	Mecklenburg 04CRS221286,04CRS221287	McGee
	Decision: No error		
05-161-1	State v Hall (Criminal)	Mecklenburg 02CRS74932	Smith
	Decision: No error		
05-339-1	Kohler Co. v McIvor (Civil)	Mecklenburg 03CVS17744	Hudson
	Decision: Affirmed		
05-347-1	State v Thai (Criminal)	Mecklenburg 02CRS207578	Tyson
	Decision: No Prejudicial Error at Trial; Remanded for Resentencing; Claim of Ineffective Assistance of Counsel Dismissed without Prejudice		
04-838-1	Forbes v Kenneth Goodson Logging, et al (Civil)	N.C. Industrial Commission IC069630	Martin
	Decision: Affirmed		
05-80-1	Anderson v NC DOT (Civil)	N.C. Industrial Commission IC983955,IC977407 IC014208	Elmore
	Decision: Affirmed in part, remanded in part		
05-298-1	Boice-Willis Clinic v Seaman (Civil)	Nash 04CVS2101	Smith
	Decision: Affirmed in part, reversed in part, and remanded		

Docket #	Title	County	Judge
04-1613-1	In Re: C.I.B. (Civil)	New Hanover 03J142,03J140,03J141	Calabria
	Decision: Affirmed		
05-362-1	McComb v Phelps (Civil)	New Hanover 04CVS3250	Hudson
	Decision: Affirmed		
05-303-1	State v Burgess (Criminal)	Onslow 03CRS56823,03CRS56824	Calabria
	Decision: New trial		
05-332-1	State v Bennett (Criminal)	Pasquotank 00CRS340	Levinson
	Decision: No error		
05-367-1	Oakley v Barkley (Civil)	Pasquotank 02CVS138	Elmore
	Decision: Reversed and remanded		
05-335-1	In the Matter of: S.N.W. (Juvenile - Criminal)	Richmond 02J40	Levinson
	Decision: Affirmed		
05-156-1	Nelson v Nelson (Civil)	Rockingham 02CVD1077,02CVD935	Hudson
	Decision: Affirmed		
05-195-1	State v Phillips (Criminal)	Rowan 03CRS50738,03CRS4040,0-4CRS3745,03CRS50660,04-CRS3746	McGee
	Decision: No error		
04-1695-1	In Re: N.F. (Juvenile - 3.1)	Wake 01J509	Jackson
	Decision: Affirmed		
05-276-1	State v Lee (Criminal)	Wake 03CRS39203,03CRS39204	Levinson
	Decision: No error		
05-306-1	Shell v NC State Banking Commission (Civil)	Wake 04CVS4683	Wynn, Jr.
	Decision: Affirmed		
05-373-1	State v Morgan (Criminal)	Wake 03CRS114124	McCullough
	Decision: No error		
05-380-1	State v Gilmore (Criminal)	Wake 04CRS44314	Bryant
	Decision: No error		
05-422-1	Box v Box (Civil)	Wake 03CVD15756	Jackson
	Decision: Appeal dismissed		
05-455-1	Keener v Arnold (Civil)	Washington 99CVD231	Bryant
	Decision: Affirmed in Part, Vacated in Part		
05-567-1	In the Matter of: K.J.H. (Juvenile - 3.1)	Wayne 03J51	McGee
	Decision: Affirmed		
05-358-1	State v Byrd (Criminal)	Wilkes 02CRS52026	Jackson

Docket #	Title	County	Judge
	Decision: Remanded for resentencing		