

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 3 JANUARY 2006)
(MANDATE 23 JANUARY 2006)

Docket #	Title	County	Judge
04-648-8	Stae vaWreeviagh(aCmnmCmal)y,vtJ.vaPaoiJLJtr.s Decision: Nwwitrea	9l1A1nce	Hiurte
04-aa6-8	Aereva,aBirwualoiJLJtr.s Decision: Nwwitrea	mu3ke	WrieJt
0a-852h-8	Aereva,aErtegtaloiJLJtr.s Decision: Nwwitrea in IRtmd teVetsea Rna terRnaea wot tesenmencinA	Clesel1nd	kv,Jtdgt
04-888-8	Aereva,aEriiJdaloiJLJtr.s Decision: ferRnaea wot fesenmencinA	Bende3bon	WDbvv
04-4a2-8	Wrua,angMtacrdeaEgLvdaloJ,J.s Decision: Disrissea	Joneb	kv,Jtdgt
0a-80r4-8	Aereva,aHuvidaloiJLJtr.s Decision: po ettot Rm ,tiRv; DewenaRnmgs uvRirs ynaet jis Eomion wot NlltoltiRme fiew Rte Deniea;	7ecklenGu3g	Hiurte
04-r64-8	GJtv,J..vaBgivdea,aGgieirJeaEgLvdaloJ,J.s Decision: Disrissea in .Rtmd feVetsea Rna ferRnaea in .Rtm	7ecklenGu3g)g tTaAim
04-85r-8	bggwaEgFvaEvr.e aAuda,apoanEEAaloJ,J.s Decision: NlleRv aisrissea	fLCL DeMtL oN Be1lt. I BuA1n wscb	Aevv.Lrt
04-8Hr-8	bggwaEgFvaEgdFJer.a,apoanEEAaloJ,J.s Decision: Nwwitrea	fLCL DeMtL oN Be1lt. I BuA1n wscb	Aevv.Lrt
04-a66-8	Staf vaWreeviagh(aRmAmOmal)y,vtJ.vaPalm:s Decision: BRcRmea Rna ferRnaea	fev B1nose3	ALJe
04-a2H-8	-LviJDrtabytvir.aBJta,aHritvdaloJ,J.s Decision: Nwwitrea	Onblov	or.r3iJr
0a-86rH-8	AFvriLrta,aGvtwviaogyteuaHRcaloJ,J.s Decision: Disrissea	Pende3	fudgt
0a-8645-8	1JKKga,aGvtwviaogyteuaHmRmcmaIoJ,J.s Decision: Disrissea	Pende3	fudgt
04-8h5-8	StaCv(akmOmal)y,vtJ.vaPalm:s Decision: feVetsea Rna ferRnaea	Pe3bon	WrieJt
0a-84aa-8	Aereva,aV.egtaloiJLJtr.s Decision: po ettot	Rut.e3No3d	bvvi

Docket #	Title	County	Judge
04-344-1	State v Murphy (Criminal) Decision: No error at trial; remanded for resentencing	Rockingham	Timmons-Goodson
04-523-1	Coker, et al v DaimlerChrysler (Civil) Decision: Affirmed	Rowan	Tyson
04-572-1	State v Dorton (Criminal) Decision: No error in part, remanded for resentencing	Scotland	Calabria
04-1334-1	Mayo v Mayo (Civil) Decision: Affirmed	Transylvania	Calabria
04-35-1	Early v Durham County DSS (Civil) Decision: Affirmed	Wake	Geer
04-245-1	Nationwide Insurance v Bournon (Civil) Decision: Affirmed in part; reversed in part	Wake	Timmons-Goodson
04-520-1	Phelps-Dickson v Amerimann (Civil) Decision: affirmed in part, reversed in part and remanded	Wake	Calabria
04-1194-1	Lincoln v NC DHHS (Civil) Decision: Affirmed	Wake	Elmore
04-1261-1	NC Dept of Crime Control v Greene (Civil) Decision: Affirmed	Wake	McGee
04-1298-1	Havey v Valentine (Civil) Decision: Reversed	Wake	Hunter

**IN THE
COURT OF APPEALS**

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**(FILED 16 AUGUST 2005)
(MANDATE 6 SEPTEMBER 2005)**

Docket #	Title	County	Judge
04-1372-1	In Re: A.P.R. & A.C.R. (Juvenile - 3.1) Decision: Affirmed	Alamance 02J50 02J51	Geer
04-1200-1	State v Moore (Criminal) Decision: No error; remanded for resentencing	Brunswick 03CRS53662 04CRS1673	McGee
04-1029-1	State v Richards (Criminal) Decision: No prejudicial error	Buncombe 03CRS4452 03CRS4450 03CRS4453 03CRS4451	Hunter
04-1408-1	State v Staton (Criminal) Decision: Reversed and remanded	Buncombe 02CRS59298 02CRS3483 02CRS4636-4648 02CRS3482	Levinson
04-150-1	State v Fill (Criminal) Decision: No error at Trial, Sentence Vacated	Caldwell 03CRS50157	Tyson
03-1680-1	Wendt v Tolson (Civil) Decision: Vacated and remanded in part	Carteret 02CVS1146	Calabria
04-1697-1	State v Oliver (Criminal) Decision: Affirmed	Carteret 03CRS54226 03CRS6075	Levinson
04-1265-1	Warren v Home Depot (Civil) Decision: Affirmed	Catawba 03CVS3826	Calabria
04-1050-1	Bessemer City Express v Kings Mountain (Civil) Decision: Affirmed	Cleveland 00CVS2135	Steelman
04-1358-1	State v McNeair (Criminal) Decision: No error	Davidson 03CRS54085 03CRS8923 03CRS54087 03CRS8924 03CRS54089	Hunter
04-1598-1	State v Cherry (Criminal) Decision: No error	Edgecombe 02CRS50849 02CRS50847 02CRS50848	Levinson
04-1118-1	State v Sawyer (Criminal) Decision: No error	Forsyth 02CRS61303	Calabria
04-1371-1	State v Peterson (Criminal) Decision: No error	Forsyth 03CRS52222	McCullough
04-1446-1	Dixon v Dixon (Civil) Decision: Affirmed	Forsyth 98CVD3181	Levinson
04-1263-1	Moore v Gaston Memorial Hospital Inc. (Civil) Decision: Affirmed	Gaston 03CVS4181	McGee

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04-1419-1	Thrash v Zimelman (Civil) Decision: Affirmed in part; vacated in part	Graham 03CVS111	McCullough
03-1138-1	State v Herring (Criminal) Decision: No error at trial, remanded for resentencing	Guilford 01CRS2602 01CRS2600 01CRS2601	Elmore
04-1113-1	State v Poor (Criminal) Decision: Dismissed	Guilford 02CRS86014	McGee
05-73-1	State v Woodbury (Criminal) Decision: Affirmed	Guilford 01CRS92083	Levinson
05-160-1	State v Hockaday (Criminal) Decision: Affirmed	Halifax 01CRS52748 03CRS53210	Levinson
04-1623-1	Wilson v McCurdy (Civil) Decision: Dismissed	Iredell 04CVS457	Levinson
04-331-1	In Re: R.K.J., R.J. & W.J. (Juvenile - 3.1) Decision: Affirmed	Jones 03J1 02J5 00J3	Bryant
04-1131-1	Garland v Hatley (Civil) Decision: Affirmed	Lincoln 02CVS1380	Tyson
04-825-1	Matter of: I.O.E. (Criminal) Decision: Affirmed	Mecklenburg 98J549	Geer
04-1041-1	Schaffner v USAA Casualty Ins. (Civil) Decision: Affirmed	Mecklenburg 01CVS4362	Bryant
04-1278-1	Cummings v Carriage Club (Civil) Decision: Reversed and remanded	Mecklenburg 04CVS7351	McGee
04-1281-1	Medstaff Carolinas v Northwood Nursing (Civil) Decision: Affirmed	Mecklenburg 02CVS1541	Calabria
04-1323-1	In Re: R.G. (Juvenile - 3.1) Decision: Affirmed	Mecklenburg 04J196	Geer
04-1690-1	Laney v Penn-America Ins. Co. (Civil) Decision: Affirmed	Mecklenburg 04CVS3102	Calabria
04-994-1	Hastings v Eastern Carolina Pathology (Civil) Decision: Affirmed	N.C. Industrial Commission IC016472	Elmore
04-1333-1	Metcalf v MPW Carpentry (Civil) Decision: Affirmed	N.C. Industrial Commission IC144351	McGee
04-1339-1	Moran v Turnamics (Civil)	N.C. Industrial Commission IC072028	Levinson

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	Decision: Affirmed		
04-1095-1	Keyzer v Amerlink, Ltd. (Civil)	Nash 02CVS2461	Levinson
	Decision: Affirmed		
04-1205-1	State v Ezzell (Criminal)	Nash 02CRS8318 02CRS8319	Levinson
	Decision: No error		
04-1490-1	State v Campbell (Criminal)	New Hanover 03CRS21668	Levinson
	Decision: New trial		
04-103-1	State v Webb (Criminal)	Pitt 02CRS5688 02CRS5685 02CRS54018 02CRS5687	Bryant
	Decision: No error in trial; remanded for resentencing		
04-1139-1	State v Thomas (Criminal)	Pitt 03CRS11273	Hunter
	Decision: No error in part, remanded for resentencing		
04-1129-1	Reyes v Ray (Civil)	Robeson 02CVS1235	Calabria
	Decision: Reversed and remanded		
04-1545-1	Southeastern Outdoor Products v Lawson (Civil)	Sampson 04CVS825	Calabria
	Decision: Reversed		
03-1489-1	Wagoner v NC Bd Engineers & Surveyors (Civil)	Surry 01CVS1366	Bryant
	Decision: Affirmed		
04-1027-1	Callanan v Walsh (Civil)	Transylvania 01CVD129	Jackson
	Decision: Affirmed in part, reversed in part and remanded for additional findings regarding the date of separation valuation of all items of marital property		
04-598-1	Waldon v Burris & Waldon, et al (Civil)	Union 01CVS1455	Martin
	Decision: Affirmed in part, reversed in part and remanded for recalculation of the damage award		
04-142-1	State v Hendrickson (Criminal)	Wake 02CRS58208	Elmore
	Decision: No error at trial, remanded for resentencing		
04-742-1	Osetek v Jeremiah (Civil)	Wake 02CVS3036	Bryant
	Decision: Affirm		
04-841-1	State v White (Criminal)	Wake 03CRS8637778	Elmore
	Decision: No error in part, vacated in part and remanded for resentencing		
04-1171-1	Neuse River Vet. Hosp. v Bennett (Civil)	Wake 02CVD6317	Timmons-Goodson
	Decision: Dismissed		
04-1222-1	Carolina Builders v Brown (Civil)	Wake 02CVS2517	McGee
	Decision: Affirmed		
04-1234-1	Envirosafe Paints v Conklin (Civil)	Wake 03CVS1917	McGee
	Decision: Affirmed		

Docket #	Title	County	Judge
04-1327-1	Gilliam v Hawkins (Civil) Decision: Affirmed	Wake 03CVS11132	Hunter
04-1355-1	State v Brodie (Criminal) Decision: Reversed	Wake 03CRS6223 03CRS33740	McGee
04-1543-1	Hash v Hennigan (Civil) Decision: No error	Warren 02CVS342	Geer