

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 20 JUNE 2006)**  
**(MANDATE 10 JULY 2006)**

| Docket #  | Title  | County                     | Judge      |
|-----------|--|----------------------------|------------|
| 05-974-1  | State v Farrar (Criminal)<br><b>Decision:</b> No error                                 | Alamance                   | Hudson     |
| 05-1240-1 | State v Smith (Criminal)<br><b>Decision:</b> No error                                  | Buncombe                   | Wynn, Jr.  |
| 05-1018-1 | State v Wise (Criminal)<br><b>Decision:</b> No error                                   | Cabarrus                   | McCullough |
| 05-1405-1 | Ocean Hill Jt. Vent. v Currituck Bd. (Civil)<br><b>Decision:</b> No error              | Currituck                  | Calabria   |
| 05-874-1  | State v Sink (Criminal)<br><b>Decision:</b> No error                                   | Davidson                   | Bryant     |
| 05-935-1  | State v Brooks (Criminal)<br><b>Decision:</b> No error                                 | Forsyth                    | McCullough |
| 05-1204-1 | Roadway Express v Hayes (Civil)<br><b>Decision:</b> Affirmed in part; reversed in part | Forsyth                    | Wynn, Jr.  |
| 05-1404-1 | Ramey v Easley (Civil)<br><b>Decision:</b> Affirmed                                    | Haywood                    | Tyson      |
| 05-943-1  | State v Brown (Criminal)<br><b>Decision:</b> No error                                  | Hertford                   | Hunter     |
| 05-755-1  | Duke Energy v Malcolm (Civil)<br><b>Decision:</b> Affirmed in part, reversed in part   | Mecklenburg                | Levinson   |
| 05-1074-1 | City of Charlotte v Hurlahe (Civil)<br><b>Decision:</b> Affirmed                       | Mecklenburg                | Levinson   |
| 04-1639-1 | Ramsey v Southern Industrial Constr. (Civil)<br><b>Decision:</b> Affirmed              | N.C. Industrial Commission | Geer       |
| 05-1026-1 | Booker-Douglas v J&S Truck Services (Civil)<br><b>Decision:</b> Affirmed               | N.C. Industrial Commission | McCullough |
| 05-980-1  | Creighton v Lazell-Frankel (Civil)<br><b>Decision:</b> Affirmed                        | Orange                     | Levinson   |
| 05-765-1  | In the Matter of: T.S. & S.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed            | Pitt                       | Hudson     |
| 05-1268-1 | In the Matter of: A.R.G. (Juvenile - 3.1)<br><b>Decision:</b> Dismissed                | Pitt                       | Levinson   |
| 05-733-1  | Hammonds v Lumbee River Electric (Civil)<br><b>Decision:</b> Affirmed                  | Robeson                    | Stephens   |

| Docket #  | Title   | County | Judge    |
|-----------|---|--------|----------|
| 05-712-1  | State v Brigman (Criminal)<br><b>Decision:</b> No error in the trial, Motion for Appropriate Relief remanded, Amended motion for Appropriate Relief dismissed without prejudice | Rowan  | Martin   |
| 05-1416-1 | Hodge v Harkey (Civil)<br><b>Decision:</b> Affirmed   | Rowan  | Steelman |
| 05-679-1  | A Child's Hope v John Doe (Civil)<br><b>Decision:</b> Reversed  | Wake   | Martin   |
| 05-1197-1 | State v Everett (Criminal)<br><b>Decision:</b> New trial  | Wake   | Tyson    |
| 05-1379-1 | State v King (Criminal)<br><b>Decision:</b> No error in part, reversed in part and remanded for resentencing  | Wayne  | Tyson    |

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 20 JUNE 2006)  
(MANDATE 10 JULY 2006)**

| Docket #  | Title   | County   | Judge      |
|-----------|---|--|------------|
| 05-1504-1 | In the Matter of: J.W.B. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed      | Buncombe<br>04J339   | Tyson      |
| 05-1384-1 | Biddix v Employment Security Comm. (Civil)<br><b>Decision:</b> Affirmed     | Burke<br>05CVS405  | Calabria   |
| 06-17-1   | In Re: T.L. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                   | Cleveland<br>02J75 02J73 02J201  | Tyson      |
| 05-1351-1 | State v Purcell (Criminal)<br><b>Decision:</b> No error                     | Cumberland<br>03CRS67458 03CRS67456<br>03CRS67457                                      | Hunter     |
| 05-677-1  | S.N.R. Mgmt. v Danube Partners 141 (Civil)<br><b>Decision:</b> Dismissed    | Durham<br>04CVS5305  | Hudson     |
| 05-890-1  | Clodfelter v Leonard (Civil)<br><b>Decision:</b> Affirmed                   | Forsyth<br>04CVS3153   | Hudson     |
| 05-1288-1 | State v Porter (Criminal)<br><b>Decision:</b> No error                      | Forsyth<br>04CRS59837 04CRS59546<br>04CRS59894 04CRS59836                              | Steelman   |
| 05-1329-1 | State v Jessup (Criminal)<br><b>Decision:</b> No error                      | Forsyth<br>04CRS50113  | Bryant     |
| 06-41-1   | State v Rush (Criminal)<br><b>Decision:</b> No prejudicial error            | Forsyth<br>04CRS63710  | Tyson      |
| 05-1169-1 | State v Spencer (Criminal)<br><b>Decision:</b> No error                     | Guilford<br>03CRS99264 03CRS99261<br>03CRS99262  | Levinson   |
| 05-1303-1 | State v Kersey (Criminal)<br><b>Decision:</b> No prejudicial error          | Guilford<br>04CRS77618   | Steelman   |
| 05-672-1  | Griffin v Lopez (Civil)<br><b>Decision:</b> Affirmed                        | Halifax<br>01CVS207  | Elmore     |
| 05-1565-1 | In the Matter of: L.B. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed        | Harnett<br>04J128  | Tyson      |
| 05-300-1  | Phillips v Charlotte-Mecklenburg Hosp. (Civil)<br><b>Decision:</b> Affirmed | Mecklenburg<br>04CVS1182   | Bryant     |
| 05-1360-1 | State v Laney (Criminal)  | Mecklenburg<br>03CRS213653<br>03CRS213651<br>03CRS213654<br>03CRS213652<br>03CRS213655 | McCullough |

| Docket #  | Title  | County                    | Judge    |
|-----------|--|---------------------------|----------|
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1005-1 | Walker v Walker (Civil)                        | New Hanover<br>00CVD3315  | Stephens |
|           | <b>Decision:</b> Reversed and remanded         |                           |          |
| 05-1060-1 | State v Herring (Criminal)                     | New Hanover<br>02CRS21547 | Steelman |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-801-1  | State v Gish (Criminal)                        | Onslow<br>03CRS60393      | Hudson   |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1309-1 | State v Moss (Criminal)                        | Pasquotank<br>03CRS52017  | Steelman |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1283-1 | State v McIver (Criminal)                      | Pender<br>04CRS52268      | Calabria |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1078-1 | State v Agnew (Criminal)                       | Pitt<br>03CRS54863        | Levinson |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1064-1 | Remington Arms Co. v Heritage Graphics (Civil) | Rockingham<br>04CVS2102   | Steelman |
|           | <b>Decision:</b> Affirmed                      |                           |          |
| 05-743-1  | State v Bullock (Criminal)                     | Wake<br>02CRS2837         | Martin   |
|           | <b>Decision:</b> No error                      |                           |          |
| 05-1429-1 | Harco National Ins Co v BDO Seidman (Civil)    | Wake<br>05CVS2299         | Steelman |
|           | <b>Decision:</b> Affirmed                      |                           |          |
| 05-1446-1 | Bullins v Walker (Civil)                       | Wilkes<br>05CVS248        | Bryant   |
|           | <b>Decision:</b> Affirmed                      |                           |          |