

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 SEPTEMBER 2006)**  
**(MANDATE 25 SEPTEMBER 2006)**

Docket #	Title	County	Judge
05-1120-1	IN RE: R.L.C (Juvenile - Criminal) <b>Decision:</b> No error	Alamance	Jackson
05-1439-1	State v Watson (Criminal) <b>Decision:</b> No error	Beaufort	Tyson
05-386-1	Hickory Orthopaedic v Nicks (Civil) <b>Decision:</b> Affirmed in part; Vacated and remanded in part	Catawba	Steelman
05-620-1	Kiell v Kiell (Civil) <b>Decision:</b> Reversed and remanded	Catawba	Geer
05-1181-1	West Durham Lumber v Meadows (Civil) <b>Decision:</b> Reversed and remanded	Durham	Jackson
05-565-1	In the Matter of: A. P. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Forsyth	Elmore
05-1105-1	In the Matter of: A.P. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Forsyth	Elmore
05-1328-1	In the Matter of the Estate of Whitaker (Civil) <b>Decision:</b> Affirmed	Forsyth	Geer
06-29-1	In the Matter of: D.M.M. & K.G.M. (Juvenile - 3.1) <b>Decision:</b> Reversed	Forsyth	Tyson
05-1241-1	State v Withers (Criminal) <b>Decision:</b> New trial	Guilford	McGee
05-1527-1	Turner v Ellis (Civil) <b>Decision:</b> Affirmed	Haywood	Tyson
06-24-1	Hammer v Hammer (Civil) <b>Decision:</b> Affirmed	Lincoln	Steelman
05-1418-1	State v Stone (Criminal) <b>Decision:</b> New Trial	Mecklenburg	McGee
05-1420-1	Carroll v Ferro (Civil) <b>Decision:</b> Affirmed in part, Reversed and remanded in part	Mecklenburg	Steelman
05-1010-1	Sharpe v Rex Healthcare (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
05-1257-1	Bowen v ABF Freight Systems (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Elmore

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05-79-1	James River Equip. Inc. v Tharpe (Civil) <b>Decision:</b> Affirmed in part; reversed in part and remanded	Orange	Hudson
05-622-1	James River Equip. v Mecklenburg Util. (Civil) <b>Decision:</b> Affirmed in part; reversed in part and remanded	Orange	Hudson
05-887-1	Magnolia Manufacturing v Erie Ins. (Civil) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	Orange	Geer
05-1233-1	Jernigan v Herring (Civil) <b>Decision:</b> No error	Sampson	Geer
05-1382-1	State v Bell (Criminal) <b>Decision:</b> New trial	Wake	Wynn, Jr.

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05-1347-1	Thaxton v Stevens (Civil) <b>Decision:</b> Reversed	Alamance 04CVS1057	Geer
05-424-1	State v McDowell & McDowell (Criminal) <b>Decision:</b> No error	Catawba 04CRS6298,04CRS6296,04- CRS6299,04CRS6297	Geer
06-281-1	State v Peterson (Criminal) <b>Decision:</b> Affirmed	Cumberland 01CRS56962	Calabria
05-1589-1	Jordan v BB & T (Civil) <b>Decision:</b> Affirmed	Duplin 04CVS61	Bryant
05-1480-1	State v Allen (Criminal) <b>Decision:</b> No error	Durham 02CRS40899	Bryant
05-1614-1	In the Matter of: L.A.L. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Durham 04J154	Calabria
05-1432-1	State v Myers (Criminal) <b>Decision:</b> No error	Forsyth 04CRS52933,04CRS52933,- 04CRS322,04CRS322,04CR- S52932,04CRS52932	Elmore
05-1263-1	In the Matter of: C.M.H. (Juvenile - 3.1) <b>Decision:</b> Affirm	Harnett 96J134,95J0106,95J0107	Elmore
06-303-1	State v Howes (Criminal) <b>Decision:</b> No error	Haywood 05CRS3658,05CRS52464	Calabria
06-218-1	State v Jones (Criminal) <b>Decision:</b> Affirmed	Johnston 05CRS55935	Calabria
06-199-1	State v Atkins (Criminal) <b>Decision:</b> Remanded for resentencing	Lee 04CRS54553,04CRS54262,- 04CRS54369,04CRS54738,- 04CRS54364,04CRS54466,- 04CRS54260,04CRS54365	Calabria
06-50-1	State v Belton (Criminal) <b>Decision:</b> No error in part; Vacate and remand restitution award	Lenoir 02CRS51000	Calabria
05-1322-1	Nguyen v Le (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 05CVD966	Stephens
05-1598-1	State v Carson (Criminal) <b>Decision:</b> No error	Mecklenburg 04CRS202643,04CRS20263- 9,04CRS202641	Calabria
05-1688-1	In Re: M.P. (Juvenile - 3.1)	Mecklenburg 04J192	Calabria

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	<b>Decision:</b> Vacated and remanded		
06-146-1	Parker & Orleans Homebuilders v Whitson (Civil)	Mecklenburg 05CVS9146	Calabria
	<b>Decision:</b> Reversed and remanded		
05-1673-1	Collins v Unifi, Inc. (Civil)	N.C. Industrial Commission IC175332	Jackson
	<b>Decision:</b> Dismissed		
05-1205-1	Franklin v Wiggins (Civil)	New Hanover 04CVD4607,05CVD2064	Geer
	<b>Decision:</b> Affirmed		
05-1334-1	Wagner v BB&T (Civil)	New Hanover 04CVS2366	Geer
	<b>Decision:</b> Affirmed		
05-1538-1	State v Franklin (Criminal)	New Hanover 04CRS66724	Calabria
	<b>Decision:</b> No error		
05-1562-1	State v Benson (Criminal)	New Hanover 04CRS66884,03CRS20457,- 04CRS66919,03CRS20460,- 03CRS20455,04CRS66885,- 03CRS20458,04CRS66922,- 04CRS66838,03CRS20456,- 04CRS66886,03CRS20459	Levinson
	<b>Decision:</b> No error		
06-38-1	In the Matter of: M.E.W. (Juvenile - Criminal)	New Hanover 05J168	Steelman
	<b>Decision:</b> Affirmed		
05-1199-1	State v Page-Bryant (Criminal)	Onslow 04CRS60950	Geer
	<b>Decision:</b> Affirmed		
05-1383-1	Wallace v Wallace (Civil)	Richmond 04CVD638	Geer
	<b>Decision:</b> Affirmed		
06-251-1	State v Baxter (Criminal)	Rowan 04CRS54247,04CRS54248,- 04CRS54246	Calabria
	<b>Decision:</b> Reversed and remanded		
06-115-1	State v Short (Criminal)	Rutherford 05CRS1331,04CRS53801	Calabria
	<b>Decision:</b> No error		
05-1671-1	In the Matter of: M.G.M. (Juvenile - 3.1)	Sampson 02J73	Calabria
	<b>Decision:</b> Vacated and remanded		
05-1515-1	In the Matter of: R.D. (Juvenile - 3.1)	Stanly 01J16,03J42	Tyson
	<b>Decision:</b> Affirmed		
05-1641-1	State v Corpening (Criminal)	Surry 03CRS50040,03CRS51027	Steelman
	<b>Decision:</b> No error as to the conviction for possession of cocaine (03CRS51027); Reversed as to conviction for resist, delay, and obstruct (03CRS50040)		
05-1234-1	Treat v Roane (Civil)	Wake 01CVS10393	Stephens
	<b>Decision:</b> Affirmed		

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05-495-1	Dew v Hronjak (Civil) <b>Decision:</b> No error	Wilson 02CVS2222	Jackson
05-1433-1	In the Matter of: A.A.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Yadkin 02J58,02J59	Stephens