

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

Docket #	Title	County	Judge
04-1585-2	In Re: Will of McFayden (Civil) <b>Decision:</b> Affirmed in part; reversed in part and remanded	Cumberland	Jackson
05-1428-1	Baxley v Jackson (Civil) <b>Decision:</b> Affirmed in part, vacated in part	Cumberland	Hunter
05-1584-1	In the Matter of: A.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Durham	Hunter
04-1086-1	State v Crawford (Criminal) <b>Decision:</b> No error	Forsyth	Hunter
05-1563-1	Lincoln Terrace Associates v Kelly (Civil) <b>Decision:</b> Reversed	Gaston	Hunter
04-1067-1	State v Quick (Criminal) <b>Decision:</b> Affirmed	Guilford	Martin
05-1602-1	In the Matter of: W.R. (Juvenile - Criminal) <b>Decision:</b> Vacated	Guilford	Bryant
05-1481-1	State ex rel UC v Wardlaw, et al (Civil) <b>Decision:</b> Affirmed	N.C. Utilities Commission	Tyson
04-777-2	State v Bates (Criminal) <b>Decision:</b> No error	Wayne	Martin

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Docket #	Title	County	Judge
06-280-1	State v Dubois (Criminal) <b>Decision:</b> No error	Alamance 04CRS54963	Tyson
05-1149-1	State v Bork (Criminal) <b>Decision:</b> Dismissed	Avery 03CRS50824,03CRS1081	Geer
05-1230-1	State v Boswell (Criminal) <b>Decision:</b> Dismissed	Columbus 03CRS52079,04CRS51797	Geer
05-897-1	State v Harrison (Criminal) <b>Decision:</b> No error	Cumberland 02CRS53857,03CRS13338	Geer
05-1011-1	State v Willis (Criminal) <b>Decision:</b> No error	Cumberland 03CRS50077	Geer
05-1243-1	Rosewood Investments v Baxley Constr. (Civil) <b>Decision:</b> Vacated in part; affirmed in part	Cumberland 02CVS8884	Hunter
06-158-1	In the Matter of: M.C. & R.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cumberland 02J267,02J264	Jackson
05-1625-1	State v Howell (Criminal) <b>Decision:</b> Vacated, Dismissed and Writ of Certiorari Denied	Davie 02CRS774	Stephens
05-1543-1	Virgin v Virgin (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Durham 05CVS563	Bryant
06-369-1	State v Colclough (Criminal) <b>Decision:</b> Affirmed	Durham 03CRS54202,03CRS54186,- 03CRS54197,03CRS54204,- 03CRS54190,03CRS54199,- 03CRS54184,03CRS54667,- 03CRS54193	Tyson
05-1272-1	State v White (Criminal) <b>Decision:</b> Affirmed in part; No error in part	Edgecombe 02CRS50269,02CRS2937,0- 2CRS50268	Geer
06-290-1	State v Harper (Criminal) <b>Decision:</b> No error	Edgecombe 04CRS4059,04CRS4058	Tyson
06-185-1	State v Palestino (Criminal) <b>Decision:</b> No error	Forsyth 04CRS53549,04CRS53548	Tyson
05-962-1	State v Gilbert (Criminal) <b>Decision:</b> No error	Gaston 04CRS70540,04CRS26173,- 04CRS70285	Geer

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05-1023-1	State v Lipscomb (Criminal)	Gaston 04CRS64320,04CRS64323,- 04CRS23681,04CRS64321,- 04CRS64325,04CRS23682,- 04CRS64322	Geer
	<b>Decision:</b> No error		
05-947-1	State v Mitchell (Criminal)	Guilford 03CRS107454	Geer
	<b>Decision:</b> Dismissed		
05-1020-1	State v Webster (Criminal)	Guilford 04CRS76149	Geer
	<b>Decision:</b> No error		
05-1631-1	State v Mitchell (Criminal)	Guilford 03CRS107615	Calabria
	<b>Decision:</b> No error		
05-1654-1	State v Miller (Criminal)	Guilford 03CRS86858	Calabria
	<b>Decision:</b> No error		
05-1683-1	State v McEwen (Criminal)	Guilford 03CRS105293,03CRS105294	Tyson
	<b>Decision:</b> No error		
06-39-1	State v Little (Criminal)	Guilford 03CRS103572	Tyson
	<b>Decision:</b> No error		
06-207-1	State v Manuel (Criminal)	Guilford 04CRS85958	Tyson
	<b>Decision:</b> Affirmed		
06-319-1	State v Mims (Criminal)	Guilford 04CRS68257,04CRS68256	Calabria
	<b>Decision:</b> Dismissed without prejudice		
06-346-1	State v Dunham (Criminal)	Guilford 05CRS75767	Tyson
	<b>Decision:</b> Affirmed		
05-1321-2	Boone v Moore (Civil)	Halifax 02CVS657	Elmore
	<b>Decision:</b> We affirm		
06-167-1	In the Matter of: P.P.B. (Juvenile - 3.1)	Halifax 04J34	Jackson
	<b>Decision:</b> Affirmed		
05-899-1	In the Matter of: K.H.,L.C.,M.H. (Juvenile - 3.1)	Harnett 04J91,04J89,04J90	Geer
	<b>Decision:</b> Affirmed		
05-1660-1	State v Champion (Criminal)	Harnett 04CRS51117	Calabria
	<b>Decision:</b> No error		
05-1653-1	In the Matter of: T.M.B. & K.M.B. (Juvenile - 3.1)	Haywood 05J53,05J54	Calabria
	<b>Decision:</b> Orders affirmed in part and dismissed in part; petition for writ of certiorari dismissed		
05-1068-1	Summit at Cullowhee v Forest Hills (Civil)	Jackson 05CVS87	Jackson
	<b>Decision:</b> Remanded		

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05-1578-1	Thompson v Lee County (Civil) <b>Decision:</b> Dismissed	Lee 98CVS371	Calabria
06-379-1	State v Clark (Criminal) <b>Decision:</b> No error	Lenoir 05CRS50931	Tyson
06-215-1	State v Brooks (Criminal) <b>Decision:</b> No error	Lincoln 04CRS52947,04CRS52946	Tyson
05-1551-1	In the Matter of: L.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg 04J795	Elmore
05-1579-1	State v McCauley (Criminal) <b>Decision:</b> No prejudicial error	Mecklenburg 03CRS259826,03CRS259827	Tyson
05-1588-1	State v Simmons (Criminal) <b>Decision:</b> No error	Mecklenburg 03CRS242289	Stephens
05-1649-1	State v Ramirez-Marciano (Civil) <b>Decision:</b> Dismissed	Mecklenburg 03CRS24456,03CRS24454,- 03CRS24457,03CRS24455	Tyson
05-1694-1	State v Pickering (Civil) <b>Decision:</b> Dismissed	Mecklenburg 03CRS217170,03CRS217171	Tyson
05-1570-1	Aguilar v Frye (Civil) <b>Decision:</b> Affirmed	Moore 04CVS816	McGee
06-456-1	State v McCrimmon (Criminal) <b>Decision:</b> Affirmed	Moore 05CRS52549,05CRS52607,- 05CRS52548	Tyson
06-89-1	Parada v Custom Maintenance (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC022973	Bryant
03-1038-2	State v Lawrence (Criminal) <b>Decision:</b> No error	Nash 01CRS51630,01CRS9515,0- 1CRS9510,01CRS9518,01C- RS9513,01CRS958,01CRS5- 1631,01CRS9516,01CRS95- 11,01CRS9520,01CRS9514,- 01CRS959,01CRS9517,01C- RS9512	Elmore
06-90-1	State v Rivers (Criminal) <b>Decision:</b> No error	New Hanover 04CRS69310	Calabria
05-1561-1	State v Scott (Criminal) <b>Decision:</b> No error	Onslow 04CRS61147	Tyson

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06-424-1	State v McBride (Criminal)  <b>Decision:</b> Dismissed	Richmond 01CRS51293,01CRS51294,- 01CRS4184	Calabria
05-1021-1	State v Locklear (Criminal)  <b>Decision:</b> No error	Robeson 00CRS53665,00CRS53186,- 00CRS53189	Geer
05-1592-1	Duffield v Davis (Civil)  <b>Decision:</b> Reversed	Rutherford 05CVS1249	Elmore
06-52-1	In the Matter of: K.L.R. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Sampson 03J3,03J6,03J4,03J7,03J2,03J5	Hunter
05-1607-1	State v Salinas (Criminal)  <b>Decision:</b> No error	Union 04CRS51839	Calabria
05-1469-1	State v Clayborne (Criminal)  <b>Decision:</b> No error in the trial. Remanded for correction of clerical error in the judgment.	Vance 02CRS50479	Calabria
05-1082-1	United Leasing v Guthrie (Civil)  <b>Decision:</b> Affirmed	Wake 03CVS5152	Elmore
06-75-1	State v Hilliard (Criminal)  <b>Decision:</b> No error	Wake 05CRS9816,04CRS110490	Tyson
06-159-1	State v Cameron (Criminal)  <b>Decision:</b> Dismissed	Wake 05CRS11155	Tyson