

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 20 FEBRUARY 2007)**  
**(MANDATE 12 MARCH 2007)**

| Docket #  | Title                                                                                                      | County      | Judge      |
|-----------|------------------------------------------------------------------------------------------------------------|-------------|------------|
| 06-558-1  | Evangelistic Outreach v General Steel (Civil)<br><b>Decision:</b> Affirmed                                 | Anson       | Levinson   |
| 06-1028-1 | In the Matter of: A.S. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in part and remanded in part          | Buncombe    | McCullough |
| 06-1288-1 | In The Matter of: K.N. (Juvenile - 3.1)<br><b>Decision:</b> Vacated                                        | Buncombe    | Wynn, Jr.  |
| 06-20-1   | Progress Energy v Strickland (Civil)<br><b>Decision:</b> Affirmed                                          | Columbus    | Martin     |
| 06-661-1  | Hayes v Premier Living (Civil)<br><b>Decision:</b> Affirmed                                                | Columbus    | Stroud     |
| 05-1298-1 | Sobczak v Vorholt (Civil)<br><b>Decision:</b> New trial                                                    | Durham      | Stephens   |
| 06-648-1  | Stone v Stone (Civil)<br><b>Decision:</b> Affirmed in part, reversed in part, and remanded                 | Edgecombe   | Tyson      |
| 06-736-1  | Kessler v Shimp (Civil)<br><b>Decision:</b> Affirmed                                                       | Mecklenburg | Tyson      |
| 06-357-1  | Ramboot, Inc. v Lucas (Civil)<br><b>Decision:</b> Affirmed                                                 | Pitt        | Wynn, Jr.  |
| 05-1520-1 | State v Anderson (Criminal)<br><b>Decision:</b> No error                                                   | Wake        | Geer       |
| 05-1609-1 | Rainey v NC Dept of Public Instruction (Civil)<br><b>Decision:</b> Reversed                                | Wake        | Elmore     |
| 06-187-1  | Hailey v Auto-Owners Ins. Co. (Civil)<br><b>Decision:</b> Reversed and remanded in part; dismissed in part | Wake        | McGee      |
| 06-572-1  | Esposito v Talbert & Bright (Civil)<br><b>Decision:</b> Affirmed                                           | Wake        | Bryant     |
| 06-645-1  | Dysart v Cummings (Civil)<br><b>Decision:</b> Affirmed                                                     | Wake        | Tyson      |
| 06-1392-1 | In The Matters Of: C.P., et al (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in part; remanded in part     | Wilkes      | Wynn, Jr.  |
| 06-1190-1 | In The Matter of: D.S.A. (Juvenile - 3.1)<br><b>Decision:</b> Remanded                                     | Yadkin      | McCullough |

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| 06-301-1  | State v Swinton (Criminal)<br><br><b>Decision:</b> No error                                              | Buncombe<br>05CRS3556,05CRS3557,04-<br>CRS57081,05CRS3558                                                                                                   | Wynn, Jr.  |
| 06-1214-1 | In The Matter of: Mi.T., et al (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed                         | Buncombe<br>05J514,05J515,05J513,05J516                                                                                                                     | Martin     |
| 06-531-1  | State v Osorto (Criminal)<br><br><b>Decision:</b> No error                                               | Chatham<br>05CRS4157,05CRS4138,05-<br>CRS4161,05CRS4141,05CR-<br>S4158,05CRS4139,05CRS4-<br>162,05CRS4142,05CRS413-<br>5,05CRS4160,05CRS4140,0-<br>5CRS4151 | Steelman   |
| 06-313-1  | State v Hopper (Criminal)<br><br><b>Decision:</b> No error                                               | Cleveland<br>02CRS56602,02CRS56601                                                                                                                          | McGee      |
| 06-436-1  | Wellonton Limited Partnership v Huins (Civil)<br><br><b>Decision:</b> Affirmed                           | Columbus<br>05CVD774                                                                                                                                        | Bryant     |
| 06-628-1  | D.A.N. Joint Venture v Fenner (Civil)<br><br><b>Decision:</b> Reversed and remanded                      | Dare<br>02CVS187                                                                                                                                            | Steelman   |
| 06-426-1  | State v Parker (Criminal)<br><br><b>Decision:</b> Dismissed                                              | Davidson<br>04CRS61146                                                                                                                                      | Wynn, Jr.  |
| 05-1506-1 | State v Davis (Criminal)<br><br><b>Decision:</b> No error; remanded for resentencing                     | Gaston<br>03CRS64193,03CRS25828,-<br>03CRS67709,03CRS64192                                                                                                  | Geer       |
| 06-1140-1 | In Re: B.D. (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed                                            | Gaston<br>95J316                                                                                                                                            | McCullough |
| 06-261-1  | Bayler v Bayler (Civil)<br><br><b>Decision:</b> Affirmed in part, remanded in part                       | Guilford<br>02CVD1937                                                                                                                                       | Calabria   |
| 06-398-1  | State v Legrand (Criminal)<br><br><b>Decision:</b> No error                                              | Guilford<br>04CRS66344,04CRS24198,-<br>04CRS66339                                                                                                           | Geer       |
| 06-1262-1 | In The Matter of: C.D.L-H., et al (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed in part and remanded | Guilford<br>05J81,03J412                                                                                                                                    | Levinson   |
| 06-198-1  | State v Lyles (Criminal)<br><br><b>Decision:</b> No error                                                | Halifax<br>05CRS52366                                                                                                                                       | Wynn, Jr.  |
| 06-1057-1 | In The Matter Of: S.M.M. (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed                               | Hertford<br>05J14                                                                                                                                           | McCullough |

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| 06-1171-1 | In The Matter Of: K.W. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Iredell<br>04JT75                                                         | Martin     |
| 06-1070-1 | In The Matter Of: J.I.K. (Juvenile - 3.1)<br><b>Decision:</b> No error                                    | Lenoir<br>05JT68                                                          | Levinson   |
| 06-247-1  | State v Thompson (Criminal)<br><b>Decision:</b> No error                                                  | Mecklenburg<br>04CRS224861,04CRS224860                                    | Wynn, Jr.  |
| 06-549-1  | State v Funderburk (Criminal)<br><b>Decision:</b> Affirmed                                                | Mecklenburg<br>03CRS212876,03CRS50557-4,03CRS212875                       | Wynn, Jr.  |
| 06-568-1  | In the Matter of: A.J. Y.-E. (Juvenile - Criminal)<br><b>Decision:</b> Affirmed in part; remanded in part | Mecklenburg<br>05J446                                                     | Geer       |
| 06-730-1  | In the Matter of: R.M. (Juvenile - Criminal)<br><b>Decision:</b> Affirmed                                 | Mecklenburg<br>03J1146                                                    | Tyson      |
| 06-1227-1 | In The Matter of: J.W. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Mecklenburg<br>05JA719,06JT339                                            | McCullough |
| 06-516-1  | State v Gaddy (Criminal)<br><b>Decision:</b> Affirmed                                                     | Moore<br>04CRS54164,04CRS54167,-04CRS54165,05CRS4401,0-4CRS54166          | Wynn, Jr.  |
| 06-489-1  | State v Manning (Criminal)<br><b>Decision:</b> No error                                                   | New Hanover<br>02CRS6340,02CRS5881                                        | Wynn, Jr.  |
| 06-985-1  | In the Matter of: A.N.J. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                    | New Hanover<br>03J484,03J485,03J483,03J486                                | Martin     |
| 06-442-1  | State v Sutcliff (Criminal)<br><b>Decision:</b> No error                                                  | Pender<br>03CRS50224,03CRS50225,-03CRS50223                               | Wynn, Jr.  |
| 06-721-1  | State v Pollard (Criminal)<br><b>Decision:</b> No error                                                   | Pitt<br>05CRS2097,04CRS50805                                              | Tyson      |
| 04-1291-2 | State v Sprinkle (Criminal)<br><b>Decision:</b> No prejudicial error                                      | Robeson<br>02CRS11161,02CRS11158,0-2CRS11159                              | McCullough |
| 06-630-1  | State v Goode (Criminal)<br><b>Decision:</b> No error in part; reversed in part                           | Rutherford<br>04CRS503998,05CRS2259,-04CRS503999,04CRS50399-7,04CRS504000 | Bryant     |
| 06-586-1  | In the Matter of: R.G. (Juvenile - Criminal)                                                              | Wayne<br>05J18                                                            | Wynn, Jr.  |

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| <b>Decision:</b> No error |       |        |       |