

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 FEBRUARY 2007)**  
**(MANDATE 26 FEBRUARY 2007)**

Docket #	Title	County	Judge
06-80-1	Goldstein v American Steel Span (Civil) <b>Decision:</b> Reversed and remanded	Alamance	Elmore
06-853-1	In the Matter of: Me.B. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Bertie	Jackson
06-834-1	In the Matter of: W.L.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Caldwell	Jackson
04-295-2	State v Watkins (Criminal) <b>Decision:</b> No error	Caswell	Elmore
06-671-1	State v Bradley (Criminal) <b>Decision:</b> No error	Cleveland	Jackson
06-420-1	Wells v Cumberland County Hospital (Civil) <b>Decision:</b> Affirmed	Cumberland	Hunter
06-234-1	Morris v Gray (Civil) <b>Decision:</b> Remanded	Davidson	Wynn, Jr.
06-511-1	Brown v Ginn (Civil) <b>Decision:</b> Affirmed	Greene	Hunter
06-450-1	Burgin v Owen (Civil) <b>Decision:</b> Affirmed	Harnett	Bryant
06-358-1	Animal Legal Def Fund v Woodley (Civil) <b>Decision:</b> Affirmed	Lee	Elmore
06-354-1	State v Leyva (Criminal) <b>Decision:</b> No prejudicial error	Mecklenburg	Elmore
06-441-1	State v Coleman (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Jackson
06-87-1	Lane v American National Can (Civil) <b>Decision:</b> Remanded	N.C. Industrial Commission	McCullough
06-148-1	Legette v Scotland Memorial Hospital (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McGee
06-288-1	Vogler v Branch Erections (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Bryant
06-375-1	Thomas v McLaurin Parking (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McCullough
06-452-1	State v Wilson (Criminal) <b>Decision:</b> No error	New Hanover	Hunter

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06-688-1	Smith v Harris (Civil) <b>Decision:</b> Reversed	Pasquotank	Jackson
06-443-1	State v Artis (Criminal) <b>Decision:</b> No error	Pitt	Geer
06-216-1	State v McLean (Criminal) <b>Decision:</b> New trial	Wake	Stephens
06-264-1	Inland Construction v Cameron Park (Civil) <b>Decision:</b> Affirmed	Wake	McGee
06-152-1	State v Replogle (Criminal) <b>Decision:</b> No error in part, reversed and remanded with instructions in part	Watauga	Elmore
06-173-1	State v Erickson (Criminal) <b>Decision:</b> No error	Wilkes	Calabria

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Docket #	Title	County	Judge
06-826-1	State v Holt (Criminal) <b>Decision:</b> Affirmed	Alamance 04CRS51442 04CRS50200	McGee
06-777-1	In the Matter of: K.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Beaufort 03J69 03J68	McGee
06-713-1	In the Matter of: J.S.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 04J268	McGee
06-843-1	State v Felts (Criminal) <b>Decision:</b> Appeal dismissed	Buncombe 03CRS61831 05CRS55966 03CRS57355	McGee
06-1220-1	In The Matter Of: C.P.A. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Burke 06J38	Levinson
06-493-1	In the Matter of: D.L.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cabarrus 04J19 04J20 04J18	Stephens
06-1025-1	In the Matter of: M.D.B. (Civil) <b>Decision:</b> Affirmed	Caldwell 04J130	McGee
06-795-1	Hardee v Lowe's (Civil) <b>Decision:</b> Dismissed	Catawba 05CVS308	Martin
06-972-1	In the Matter of: C.E.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 04J113 04J116 04J114 04J112 04J115	Martin
06-1206-1	In The Matter of: K.D.R. (Juvenile - 3.1) <b>Decision:</b> Dismissed in part; Affirmed in part	Catawba 99J338	Levinson
06-641-1	State v Walker (Criminal) <b>Decision:</b> No error	Columbus 04CRS54631	Tyson
06-840-1	State v Dennis (Criminal) <b>Decision:</b> No error	Craven 05CRS52658 05CRS52657	Martin
06-602-1	State v Lakey (Criminal) <b>Decision:</b> No error	Cumberland 04CRS62180	Wynn, Jr.
06-709-1	State v Portis (Criminal) <b>Decision:</b> No error	Cumberland 04CRS69839	Martin
06-266-1	Benson v Benson (Civil) <b>Decision:</b> Reversed	Davidson 05CVD2425	McGee
06-893-1	Bristow Development v Craver Estates (Civil) <b>Decision:</b> Dismissed	Davidson 06CVS62	Martin

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06-638-1	In the Matter of: T.K., III (Juvenile - Criminal) <b>Decision:</b> Affirmed	Davie 05J71	Tyson
06-733-1	In the Matter of: L.S. (Criminal) <b>Decision:</b> Affirmed	Durham 02J93	Martin
06-909-1	State v Saafir (Criminal) <b>Decision:</b> Judgment arrested	Durham 98CRS12136	McGee
05-1646-1	State v Caldwell (Criminal) <b>Decision:</b> Affirmed	Forsyth 96CRS9888	Bryant
06-180-1	State v Smart (Criminal) <b>Decision:</b> No error	Forsyth 04CRS35976 04CRS58213	Stephens
06-465-1	Whitaker v Whitaker (Civil) <b>Decision:</b> Affirmed	Forsyth 02CVS1327	Geer
06-654-1	State v Davis (Criminal) <b>Decision:</b> Reversed	Forsyth 02CRS61720	Jackson
06-799-1	State v Chastaine (Criminal)  <b>Decision:</b> Dismissed	Gaston 01CRS67034 01CRS67029 02CRS4722 01CRS67032 01CRS67035 01CRS67030 02CRS4737 01CRS67033 01CRS67023 02CRS4721 01CRS67031 02CRS4738	Martin
06-642-1	In the Matter of: J.L.P. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Gates 05J17	McGee
06-824-1	State v Robinson (Criminal) <b>Decision:</b> No error	Guilford 04CRS72392 04CRS72391	Martin
06-936-1	In the Matter of: K.J. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 04J764	Martin
06-486-1	In the Matter of: E.M.V. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, reversed in part and remanded	Harnett 05J128	Geer
06-783-1	State v Sanders (Criminal) <b>Decision:</b> No error	Harnett 05CRS57099	Martin
06-1053-1	In The Matter Of: M.M. , D.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 05J156 05J155	Levinson
06-551-1	In the Matter of: J.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Henderson 02J104 02J103	Elmore

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06-823-1	State v Sizemore (Criminal)	Henderson 05CRS2246 05CRS2241 05CRS2249 05CRS2244 05CRS2247 05CRS2242 05CRS2250 05CRS2245 05CRS2240 05CRS2248 05CRS2243 05CRS2251	McGee
	<b>Decision:</b> No error		
06-951-1	State v Gilliam (Criminal)	Henderson 05CRS58567 05CRS58570 05CRS58568 05CRS58585 05CRS58566 05CRS58569	Martin
	<b>Decision:</b> Dismissed		
06-1400-1	In Re: D.O.A. (Juvenile - 3.1)	Henderson 06J89	McGee
	<b>Decision:</b> Affirmed		
06-1024-1	In the Matter of: M.E.P.V. (Juvenile - 3.1)	Johnston 06JA55 06JA58 06JA56 06JA54 06JA57	Martin
	<b>Decision:</b> Affirmed		
06-1103-1	State v Holder (Criminal)	Johnston 02CRS54284 02CRS6247	Martin
	<b>Decision:</b> No error		
05-1681-1	Green v BB&T (Civil)	Lee 04CVS562	Elmore
	<b>Decision:</b> Affirm		
06-104-1	Dept. of Transportation v Prince (Civil)	Lee 00CVS1079	Calabria
	<b>Decision:</b> Affirmed		
06-365-1	In the Matter of: A.Q.,D.Q.,L.Q.,J.D. (Juvenile - 3.1)	Lee 04J25 04J26 04J24 04J27	Hunter
	<b>Decision:</b> Affirmed		
06-800-1	Lee County DSS v Barbee (Civil)	Lee 05CVD1035	McGee
	<b>Decision:</b> Reversed and remanded		
06-831-1	In the Matter of: N.S. (Juvenile - 3.1)	Lee 05J66	McGee
	<b>Decision:</b> Affirmed		
06-570-1	State v Anderson (Criminal)	Lincoln 04CRS50515	McGee
	<b>Decision:</b> No error		
06-291-1	Vega v Sanders Ford, Inc. (Civil)	Martin 03CVS417	Levinson
	<b>Decision:</b> No error		
06-355-1	In the Matter of: V.T. (Juvenile - 3.1)	Mecklenburg 04JT1214 04JT1213	Bryant
	<b>Decision:</b> Affirmed		
06-488-1	Deans v Terry (Civil)	Mecklenburg 01CVD15895	Stephens
	<b>Decision:</b> Affirmed		

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06-643-1	State v Winchester (Criminal)	Mecklenburg 04CRS251206 04CRS251207 04CRS251205 04CRS251208	McGee
	<b>Decision:</b> No error		
06-1299-1	In The Matter of: J.J., T-a.J., T-e.J. (Juvenile - 3.1)	Mecklenburg 06JT68 06JT69 06JT67	McGee
	<b>Decision:</b> Affirmed		
06-2-1	State v Trujillo (Criminal)	Montgomery 04CRS50702 04CRS50847 04CRS50701	Geer
	<b>Decision:</b> Affirmed		
06-226-1	Moore v Covenant Transport (Civil)	N.C. Industrial Commission IC383755	Calabria
	<b>Decision:</b> Affirmed		
06-382-1	Mayo v NC DHHS (Civil)	N.C. Industrial Commission ICTA17544	Stephens
	<b>Decision:</b> Affirmed		
06-414-1	Ceballos v Intrepid USA (Civil)	N.C. Industrial Commission IC291468	Jackson
	<b>Decision:</b> Affirmed		
06-448-1	McDaniel v Continental Tire (Civil)	N.C. Industrial Commission IC398514	Bryant
	<b>Decision:</b> Reversed and remanded		
06-845-1	State v James (Criminal)	Pender 05CRS51037 05CRS3269 05CRS50509	McGee
	<b>Decision:</b> No error		
06-64-1	State v Hardy (Criminal)	Pitt 04CRS56467 04CRS56468 04CRS56466	McGee
	<b>Decision:</b> No error		
06-774-1	State v Shoe (Criminal)	Randolph 03CRS54434	McGee
	<b>Decision:</b> Reversed and remanded		
06-772-1	State v Silcox (Criminal)	Rowan 03CRS51198	Martin
	<b>Decision:</b> No error		
06-1300-1	In The Matter of: C.J., M.C., A.C. (Juvenile - 3.1)	Rowan 06JA44 06JA45 06JA43	Martin
	<b>Decision:</b> Affirmed		
06-906-1	In the Matter of: K.F. (Juvenile - 3.1)	Sampson 05J02 05J05 05J03 05J01 05J04	McGee
	<b>Decision:</b> Dismissed		
06-891-1	State v Brown (Criminal)	Stokes 03CRS50233 03CRS50284 03CRS50234 03CRS1379 03CRS50276	Martin
	<b>Decision:</b> Dismissed		
06-244-1	In the Matter of: L.A.P. (Juvenile - 3.1)	Surry 02J35A	Levinson

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	<b>Decision:</b> Affirmed		
06-935-1	In the Matter of: F.M.A. (Juvenile - Criminal)	Surry 06J08-B	Martin
	<b>Decision:</b> Affirmed		
06-977-1	In the Matter of: C.P.H. (Civil)	Surry 04J116A117A	McGee
	<b>Decision:</b> Reversed and remanded		
06-804-1	In the Matter of A.D.C. (Juvenile - 3.1)	Union 05J21	Martin
	<b>Decision:</b> Affirmed		
06-393-1	State v Terry (Criminal)	Vance 05CRS50458 05CRS50457	Elmore
	<b>Decision:</b> No error		
06-27-1	Emerging Display Tech. v Unicom (Civil)	Wake 04CVD11629	McGee
	<b>Decision:</b> Affirmed		
06-741-1	Gersch v Fantasia (Civil)	Wake 06CVD1121	Martin
	<b>Decision:</b> Affirmed		
06-872-1	State v Bingman (Criminal)	Wake 05CRS1491 05CRS1492 05CRS1490	Martin
	<b>Decision:</b> No error in defendants trial; remanded for a new restitution award		
06-988-1	State v Lee (Criminal)	Wake 05CRS27812	Martin
	<b>Decision:</b> No error		
06-1050-1	In The Matter Of: J.D. (Juvenile - 3.1)	Wake 04J233	Levinson
	<b>Decision:</b> Affirmed		
06-1158-1	In The Matter Of: T.M.W. (Juvenile - 3.1)	Wake 05J723	Martin
	<b>Decision:</b> Affirmed		
06-157-1	Braswell v St. Paul Mercury Ins. (Civil)	Wayne 04CVS1363	Steelman
	<b>Decision:</b> Reversed and remanded		
06-640-1	State v Albrittain (Criminal)	Wayne 05CRS51689 05CRS51709 05CRS51690 05CRS51832 05CRS51688 05CRS51694	McGee
	<b>Decision:</b> Reversed and remanded		
06-712-1	State v Booth (Criminal)	Wayne 04CRS61172	Martin
	<b>Decision:</b> Affirmed		
06-147-1	Mitchell v Mitchell (Civil)	Wilkes 02CVD16	Levinson
	<b>Decision:</b> Reversed and remanded		
06-706-1	In the Matter of: R.W. (Juvenile - 3.1)	Wilkes 98J57 98J56	McGee
	<b>Decision:</b> Affirmed		