

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 JUNE 2007)**  
**(MANDATE 25 JUNE 2007)**

Docket #	Title	County	Judge
06-724-1	Kenyon v Gehrig (Civil) <b>Decision:</b> Affirmed	Alamance	Elmore
06-687-1	In the Matter of: E.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alexander	Jackson
06-463-1	State v Bowman (Criminal) <b>Decision:</b> No error	Buncombe	Jackson
06-1068-1	State v Heinricy (Criminal) <b>Decision:</b> No error	Buncombe	Martin
06-1364-1	Richards v NC Tax Review Bd. (Civil) <b>Decision:</b> Affirmed	Buncombe	McCullough
06-466-1	Langdon v Langdon (Civil) <b>Decision:</b> Affirmed	Cabarrus	Elmore
06-1244-1	Lail v Cleveland County Bd. of Educ. (Civil) <b>Decision:</b> Affirmed and remanded for correction of clerical error	Cleveland	Tyson
06-533-1	Crandell v American Home Assurance (Civil) <b>Decision:</b> Reversed	Forsyth	Geer
06-1073-1	Dogwood Dev. v White Oak Transp. (Civil) <b>Decision:</b> Dismissed	Forsyth	Tyson
04-665-2	State v Bullock (Criminal) <b>Decision:</b> No error on aggravating factor and denial of motion to continue; 31 July 2003 and 5 September 2003 amended judgments vacated	Guilford	Martin
06-392-1	Brown v American Partners F.C.U. (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Guilford	Geer
06-680-1	Kotis Properties v Casey's Inc. (Civil) <b>Decision:</b> Affirmed	Guilford	Geer
06-854-1	Atkins v Mortenson, M.D. (Civil) <b>Decision:</b> Affirmed	Guilford	Hunter
06-1253-1	Sisk v City of Greensboro (Civil) <b>Decision:</b> Affirmed	Guilford	Hunter
06-974-1	State v Lakey (Criminal) <b>Decision:</b> No error	Haywood	Hunter
06-941-1	State v Kitchengs (Criminal) <b>Decision:</b> No error	Hyde	McGee

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06-1268-1	Smith v Boya Investments, LLC (Civil) <b>Decision:</b> Affirmed	Johnston	Bryant
06-1697-1	In The Matter of: K.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part; remanded in part	Mecklenburg	Jackson
07-16-1	In The Matter Of: C.M., V.K., Q.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg	Steelman
06-1102-1	Curran v Barefoot (Civil) <b>Decision:</b> Affirmed in part, Reversed in part, and Remanded	Montgomery	Tyson
06-705-1	Stealth Properties v Town of Pinebluff (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Moore	Elmore
06-366-1	Ward v Floors Perfect (Civil) <b>Decision:</b> Affirmed in part, Reversed in part and remanded	N.C. Industrial Commission	Tyson
06-1232-1	Dicamillo v Arvin Meritor, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
06-1266-1	Myles v Lucas and McCowan Masonry (Civil) <b>Decision:</b> Dismissed	N.C. Industrial Commission	Per Curiam
06-583-1	NC State Bar v Rossabi & Meister (Civil) <b>Decision:</b> Reversed and remanded	N.C. State Bar	Elmore
06-1254-1	McKinley Bldg. Corp. v Alvis (Civil) <b>Decision:</b> Affirmed	New Hanover	Jackson
06-868-1	In the Matter of the Estate of Rand (Civil) <b>Decision:</b> Affirmed in part, dismissed in part	Onslow	Wynn, Jr.
06-1039-1	Beddard v McDaniel (Civil) <b>Decision:</b> Affirmed	Onslow	Wynn, Jr.
06-1638-1	In The Matter Of: D.C. & C.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part; reversed in part; remanded with instructions	Pitt	Stroud
06-1709-1	In The Matter Of: A.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Pitt	Geer
07-18-1	In The Matter Of: P.P. & M.P. (Juvenile - 3.1) <b>Decision:</b> Vacated	Pitt	Geer
06-1379-1	Dempsey v Halford and VanFrank (Civil) <b>Decision:</b> Reversed and remanded	Polk	Martin
06-490-1	Alliance for Transportation v NC DOT (Civil) <b>Decision:</b> Affirmed in part, dismissed in part	Richmond	Martin
04-445-2	Misenheimer v Burris (Civil) <b>Decision:</b> No error	Stanly	Tyson

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06-863-1	Carter v Marion (Civil) <b>Decision:</b> Affirmed	Surry	McCullough
06-1152-1	State v Hayes (Criminal) <b>Decision:</b> No error	Surry	Steelman
06-619-1	State v High (Criminal) <b>Decision:</b> Affirmed	Wake	Geer
06-623-1	In Re: Thomas (Civil) <b>Decision:</b> Affirmed	Wake	Elmore
06-686-1	State v Bagley (Criminal) <b>Decision:</b> No error in part, Reversed in Part and Remanded for New Trial on 04CRS074558	Wake	Stroud
06-751-1	State v Johnson (Criminal) <b>Decision:</b> No error in part; new trial in part; vacated in part	Wake	McGee
06-952-1	State v McLean (Criminal) <b>Decision:</b> No error	Wake	McGee
06-1004-1	Pascoe v Pascoe (Civil) <b>Decision:</b> Affirmed	Wake	Elmore
06-856-1	Kraft v Town of Mount Olive (Civil) <b>Decision:</b> Affirmed	Wayne	Hunter
06-1381-1	In The Matters of: Z.J.T.B., et al (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Wilkes	Jackson

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06-731-1	State v Stewart (Criminal)  <b>Decision:</b> No error	Alamance 03CRS59478,03CRS59479,- 03CRS59477,04CRS491	Calabria
06-860-1	Compton v Maya Lake (Civil)  <b>Decision:</b> Affirmed	Alamance 05CVS172	Wynn, Jr.
06-1130-1	State v Mananov (Criminal)  <b>Decision:</b> No error	Buncombe 05CRS56186	Wynn, Jr.
06-1562-1	In The Matter of: B.O. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Buncombe 05J145	Steelman
07-119-1	In the Matter of: C.Q. (Juvenile - 3.1)  <b>Decision:</b> Reversed and remanded	Buncombe 05J488	Stroud
06-1066-1	Sigmon v Hoffman (Civil)  <b>Decision:</b> Dismissed	Burke 05CVM1666,06CVD87	Wynn, Jr.
06-1409-1	State v Ford (Criminal)  <b>Decision:</b> Affirmed	Cabarrus 06CRS1521,05CRS19509	Steelman
06-755-1	Sanders v Gray, Inc. (Civil)  <b>Decision:</b> Affirmed	Carteret 05CVD983	Calabria
06-694-1	In the Matter of: I.N.P. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Catawba 99J109	Martin
06-698-1	In the Matter of: S.J.G. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Chatham 04J04	Elmore
06-869-1	State v Lindsay (Criminal)  <b>Decision:</b> Remanded	Chatham 02CRS3933,02CRS3934,02- CRS3932,02CRS3935	Wynn, Jr.
06-1503-1	State v Johnson (Criminal)  <b>Decision:</b> No prejudicial error	Cleveland 05CRS52769,05CRS52766	Levinson
06-1185-1	In The Matter of: N.D.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Dare 05J48	McCullough
06-971-1	Henderson v Henderson (Civil)  <b>Decision:</b> Affirmed	Davidson 04CVS446	McGee
06-1714-1	In The Matter of: C.J.H., et al (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Davidson 05J185,05J186,05J184,05J187	Levinson
06-750-1	State v Epps (Criminal)	Durham 04CRS5840,04CRS43765	Geer

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	<b>Decision:</b> No error		
06-356-1	State v Moses (Criminal)	Forsyth 04CRS28531,04CRS28532,- 03CRS63971,03CRS19610	Stephens
	<b>Decision:</b> No error		
06-864-1	State v Coad (Criminal)	Forsyth 02CRS62819	Wynn, Jr.
	<b>Decision:</b> No error		
06-1035-1	In The Matter of: JA., JO., JE. G. (Juvenile - 3.1)	Forsyth 05J132,05J133,05J131	Stephens
	<b>Decision:</b> Affirmed		
06-1062-1	State v Jessup (Criminal)	Forsyth 04CRS28544,04CRS28543	Stephens
	<b>Decision:</b> No error		
06-1207-1	State v Hogg (Criminal)	Forsyth 05CRS26448,05CRS58613	Jackson
	<b>Decision:</b> No error		
06-1330-1	State v Shinault (Criminal)	Forsyth 04CRS35997,04CRS35998,- 03CRS59816	Levinson
	<b>Decision:</b> No error		
06-1351-1	State v Knowles (Criminal)	Forsyth 05CRS60128	McCullough
	<b>Decision:</b> No prejudicial error		
07-25-1	In The Matter Of: T.H. (Juvenile - 3.1)	Forsyth 04JT425	Levinson
	<b>Decision:</b> Dismissed		
06-922-1	State v Burchfield (Criminal)	Graham 05CRS50227	Elmore
	<b>Decision:</b> No error		
06-997-1	In the Matter: C.A.S. (Juvenile - Criminal)	Guilford 05JB665	Steelman
	<b>Decision:</b> Affirmed		
06-1139-1	State v Spinks (Criminal)	Guilford 04CRS83182	Levinson
	<b>Decision:</b> No error		
06-1371-1	State v Espinoza (Criminal)	Guilford 05CRS65342,05CRS65343,- 05CRS65343	Bryant
	<b>Decision:</b> Affirmed		
06-1471-1	State v Teachey (Criminal)	Guilford 05CRS24839,05CRS97875	Levinson
	<b>Decision:</b> No error		
06-1121-1	In Re: J.M.E., M.M.M., E.C.M. (Juvenile - 3.1)	Harnett 03J75,03J76,05J39	McCullough
	<b>Decision:</b> Dismissed		
06-1333-1	State v Prince (Criminal)	Henderson 05CRS51521	Levinson
	<b>Decision:</b> No error		
06-1374-1	State v Teesateskie (Criminal)	Henderson 04CRS54697	Levinson

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	<b>Decision:</b> No error		
06-1674-1	In The Matter of: C.B.L. (Juvenile - 3.1)	Henderson 03J135	Geer
	<b>Decision:</b> Affirmed		
06-692-1	Lloyd v Grain Dealers (Civil)	Iredell 05CVS2048	Calabria
	<b>Decision:</b> Affirmed		
06-1205-1	Fowler v Netzow and TLKKB Holdings, LLC (Civil)	Jackson 04CVS581	McCullough
	<b>Decision:</b> Affirmed		
06-1416-1	State v Patterson (Criminal)	Lincoln 05CRS1565	Bryant
	<b>Decision:</b> No error		
07-49-1	In Re: C.N., J.N. (Juvenile - 3.1)	Macon 04J50,04J49	Stephens
	<b>Decision:</b> Appeal dismissed in part and affirmed		
06-937-1	State v Moore (Criminal)	Mecklenburg 04CRS219592,04CRS21959-3,04CRS219591	Geer
	<b>Decision:</b> No error		
06-1094-1	In The Matter Of: N. L. (Juvenile - 3.1)	Mecklenburg 05JT1027	Hunter
	<b>Decision:</b> Affirmed		
06-1249-1	Bio-Medical v Electronic Data Systems (Civil)	Mecklenburg 06CVS4849	Bryant
	<b>Decision:</b> Dismissed		
06-1653-1	In The Matter of: A.C. and J.C. (Juvenile - 3.1)	Mecklenburg 05JT289,04JT688	Geer
	<b>Decision:</b> Affirmed		
06-332-1	State v Kennedy (Criminal)	Moore 04CRS52442,04CRS52446,-04CRS52444,04CRS52447,-04CRS52441,04CRS52445	Martin
	<b>Decision:</b> No error		
06-597-1	State v Smith (Criminal)	Moore 05CRS2077,05CRS51257,0-3CRS56127	Elmore
	<b>Decision:</b> No error		
06-1346-1	Clemmons v Securitas, Inc. (Civil)	N.C. Industrial Commission IC424068	Bryant
	<b>Decision:</b> Affirmed		
06-805-1	Pawlik v Fortunati (Civil)	New Hanover 05CVS1525	Geer
	<b>Decision:</b> Dismissed		
06-1696-1	In The Matter Of: D.J., et al (Juvenile - 3.1)	New Hanover 06J243,06J244,06J242,06J245	Levinson
	<b>Decision:</b> Reversed and remanded		
06-685-1	State v Steward (Criminal)	Onslow 05CRS50668,05CRS2553	Elmore
	<b>Decision:</b> No error		

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07-24-1	In The Matter Of: S.F.P. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Pasquotank 04J84	Levinson
06-982-1	State v Belcher (Criminal) <b>Decision:</b> No error	Pitt 03CRS51106,03CRS51105	Stephens
06-1520-1	State v Harris (Criminal) <b>Decision:</b> Affirmed	Pitt 03CRS57595	Levinson
06-857-1	State v Carter (Criminal) <b>Decision:</b> No prejudicial error in part, remanded in part	Wake 04CRS109573,04CRS11151-44,04CRS1115142,04CRS1-09571,04CRS1115143	Wynn, Jr.
06-1443-1	State v Sharpe (Criminal) <b>Decision:</b> Affirmed	Wake 05CRS112022,05CRS112021	Levinson
06-768-1	State v Vanburen (Criminal) <b>Decision:</b> No error in part; remanded for resentencing	Warren 04CRS2002,04CRS50909,0-4CRS2001,04CRS50959	Hunter
06-829-1	State v Moore (Criminal) <b>Decision:</b> No error	Wayne 04CRS53438	Hunter
06-913-1	In the Matter of: N.M.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wilkes 04J130	Bryant
06-1211-1	Lovette v York (Civil) <b>Decision:</b> No error	Wilkes 04CVS2354	McCullough
07-73-1	In The Matter Of: C.C.P.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wilson 06JA105	Stroud
06-653-1	State v Higgins (Criminal) <b>Decision:</b> No error	Yancey 05CRS50393,06CRS79,05C-RS50392	Calabria
06-1592-1	In The Matter of: S.R.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Yancey 04J40	Jackson