

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 7 AUGUST 2007)**  
**(MANDATE 27 AUGUST 2007)**

Docket #	Title	County	Judge
06-1372-1	In The Matter of Foreclosure: Bigelow (Civil) <b>Decision:</b> Affirmed	Alamance	Martin
06-1405-1	State v Moore (Criminal) <b>Decision:</b> Dismissed	Beaufort	Jackson
06-1327-1	State v Burke (Criminal) <b>Decision:</b> No error	Brunswick	Elmore
06-846-1	Terres Bend Homeowners v Overcash (Civil) <b>Decision:</b> Affirmed in part; Reversed in part; Remanded	Cabarrus	Stroud
06-1534-1	Farley, et al v Holler, et al (Civil) <b>Decision:</b> Affirmed	Carteret	Martin
06-1075-1	Purcell International v Algemene (Civil) <b>Decision:</b> Affirmed	Catawba	Elmore
06-1218-1	State v Hill (Criminal) <b>Decision:</b> Vacated	Davidson	Calabria
06-1225-1	State v Gayton (Criminal) <b>Decision:</b> No error	Durham	Hunter
06-792-1	Cadle Co v Buyna (Civil) <b>Decision:</b> Affirmed	Forsyth	Geer
06-1015-1	Winston-Salem v Slate (Civil) <b>Decision:</b> Reversed and remanded	Forsyth	Geer
06-1069-1	State v Gutierrez (Criminal) <b>Decision:</b> No error	Forsyth	Elmore
06-1161-1	City of Winston-Salem v Slate (Civil) <b>Decision:</b> Reversed and Remanded	Forsyth	Geer
06-1483-1	State v Simon (Criminal) <b>Decision:</b> Affirmed	Forsyth	Smith
06-1347-1	State v Patterson (Criminal) <b>Decision:</b> No error in part, dismissed in part	Graham	Calabria
06-304-1	Cail v Cerwin (Civil) <b>Decision:</b> Vacated in part;Dismissed in part; and Affirmed in Part	Granville	Jackson
06-1195-1	Burton v Phoenix Fabricators (Civil) <b>Decision:</b> Appeal dismissed	Granville	Geer

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06-1239-1	State v Moffitt (Criminal) <b>Decision:</b> No error	Guilford	Wynn, Jr.
05-111-2	State v Harris (Criminal) <b>Decision:</b> No prejudicial error	Henderson	McGee
06-1047-1	Bruning & Federle v Mills (Civil) <b>Decision:</b> Affirmed	Iredell	Stephens
06-728-1	State v Loftis (Criminal) <b>Decision:</b> No error	McDowell	McGee
06-1029-1	State v Lindsay (Criminal) <b>Decision:</b> No error	Mecklenburg	Hunter
06-957-1	Stocum v Oakley (Civil) <b>Decision:</b> Affirmed	Moore	Hunter
06-1204-1	Hospice At Greensboro v NCDHHS (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Stroud
06-1484-1	Hospice & Palliative v NC DHHS (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Stroud
06-1060-1	Cherney v NC Zoological Park (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Tyson
06-1388-1	Luna v N.C. Dept. of Environment (Civil) <b>Decision:</b> Affirmed	Onslow	Elmore
06-1083-1	Cooke v Cooke (Civil) <b>Decision:</b> Affirmed	Orange	Elmore
06-1005-1	State v Brockett (Criminal) <b>Decision:</b> No error	Pitt	Stephens
06-1391-1	State v Wood (Criminal) <b>Decision:</b> No error	Randolph	Bryant
06-1556-1	Phillips v Phillips (Civil) <b>Decision:</b> Vacated and remanded for additional findings	Rowan	Martin
06-684-1	State v Styles (Criminal) <b>Decision:</b> Affirmed	Swain	Steelman
06-747-1	Pulte Home Corp v American Southern (Civil) <b>Decision:</b> Reversed and Remanded	Wake	Geer
06-817-1	State v Hatley (Criminal) <b>Decision:</b> Affirmed	Wake	Elmore
06-969-1	Dodson v Dodson (Civil) <b>Decision:</b> Affirmed	Wake	Calabria
06-1310-1	Reidy v Whitehart Association, Inc. (Civil) <b>Decision:</b> Affirmed	Wake	McCullough

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06-1312-1	Losing v Food Lion, L.L.C. and Jones (Civil) <b>Decision:</b> Affirmed	Wake	Wynn, Jr.
06-793-1	WMS v Alltel Corp. (Civil) <b>Decision:</b> Reversed and Remanded	Wilkes	Jackson

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06-446-1	Webb v Alamance Regional Med Center (Civil) <b>Decision:</b> Affirmed	Alamance 04CVS1220	Stephens
06-1052-1	State v McCoy (Criminal) <b>Decision:</b> No error	Alamance 04CRS55515	McGee
06-1446-1	Alekman v Ashley's Lawn Care, et al (Civil) <b>Decision:</b> Affirmed	Beaufort 05CVS1408	Bryant
06-1457-1	State v Dawson (Criminal) <b>Decision:</b> Affirmed	Beaufort 04CRS51405,04CRS51543	Stephens
06-873-1	Cox v Cox (Civil) <b>Decision:</b> Affirmed	Buncombe 02CVD1748	Jackson
06-980-1	Cordell v Doyle (Civil) <b>Decision:</b> Dismissed as moot in part; affirmed in part; reversed in part	Buncombe 03CVD460	McGee
06-1030-1	In Re: J.L.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Burke 03J169	Calabria
06-1191-1	Ruppe v Woody (Civil) <b>Decision:</b> Affirmed	Burke 05CVS1405	Elmore
05-1389-1	Jetton v Caldwell County (Civil) <b>Decision:</b> Affirmed	Caldwell 04CVS795	Stephens
06-526-1	Currie v Poteat (Civil) <b>Decision:</b> Affirmed	Caswell 04CVS336	Steelman
06-275-1	State v Witherspoon (Criminal) <b>Decision:</b> Affirmed in part and remanded in part	Catawba 04CRS15397,03CRS15263	Steelman
06-763-1	Bank of Granite v Read (Civil) <b>Decision:</b> Reversed and remanded	Catawba 05CVS1527	Steelman
07-1-1	State v Hardie (Criminal) <b>Decision:</b> No error	Craven 05CRS55787	Calabria
06-1426-1	In Re: D.B. , C.B. (Juvenile - 3.1) <b>Decision:</b> Vacated	Cumberland 03JT87,03JT86	McCullough
07-244-1	In Re: R.P.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cumberland 03JT707	McCullough
06-1137-1	Alltel Communications v Davidson Co. (Civil) <b>Decision:</b> Affirmed	Davidson 06CVS593	McGee
06-1627-1	In Re: D.J.D. (Juvenile - 3.1)	Davie 04J92	Hunter

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	<b>Decision:</b> Affirmed		
06-1516-1	State v Diez (Criminal)	Durham 05CRS50180,05CRS50179	Calabria
	<b>Decision:</b> Dismissed		
06-1023-1	State v Bryant (Criminal)	Edgecombe 04CRS54377	Stephens
	<b>Decision:</b> No prejudicial error		
06-1651-1	State v Flowers (Criminal)	Edgecombe 05CRS7462,05CRS7461	Calabria
	<b>Decision:</b> Dismissed		
06-1275-1	Hawks v Patton, Patton and Harris (Civil)	Forsyth 03CVS308	Calabria
	<b>Decision:</b> Dismissed		
06-1389-1	State v White (Criminal)	Forsyth 04CRS63977,04CRS46235	Calabria
	<b>Decision:</b> Affirmed		
06-1456-1	State v Aiken (Criminal)	Forsyth 05CRS8654,04CRS64976	Smith
	<b>Decision:</b> No error in part; Reversed and remanded in part		
07-38-1	State v Douthit (Criminal)	Forsyth 05CRS51583,05CRS20130	Calabria
	<b>Decision:</b> No error		
07-180-1	State v Potter (Criminal)	Forsyth 05CRS63145,05CRS6314-6,05CRS42545	Calabria
	<b>Decision:</b> Dismissed		
07-361-1	In The Matter Of: H.S. (Juvenile - 3.1)	Forsyth 03JT167	Tyson
	<b>Decision:</b> Affirmed		
07-48-1	State v Wilson (Criminal)	Gaston 05CRS21702	Calabria
	<b>Decision:</b> No error		
06-1040-1	State v Michaux (Criminal)	Guilford 04CRS23105,03CRS99568	Geer
	<b>Decision:</b> No error		
06-1281-1	In The Matter of The Estate of: Lindley (Civil)	Guilford 90E1895	Steelman
	<b>Decision:</b> Affirmed in part; remanded in part		
06-1290-1	Dye v Dye (Civil)	Guilford 05CVD5295,05CVD5293	Per Curiam
	<b>Decision:</b> Dismissed		
07-301-1	In The Matter Of: A.H. (Juvenile - 3.1)	Guilford 04J320	McCullough
	<b>Decision:</b> Affirmed		
06-1590-1	Snipes v Warren (Civil)	Haywood 04CVS803	Smith
	<b>Decision:</b> Affirmed		
07-249-1	In The Matter Of: M.L., K.L., J.L. (Juvenile - 3.1)	Iredell 06JA42,06JA43,06JA18	Wynn, Jr.
	<b>Decision:</b> Affirmed		

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06-1408-1	Massey v Prime Internal Medicine, P.A. (Civil) <b>Decision:</b> Affirmed in part, Reversed in part	Johnston 03CVS3414	Hunter
07-415-1	In the Matter of: D.D.D., S.L.N. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Johnston 06JT111,06JT110	Tyson
07-245-1	In The Matter Of: M.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Mecklenburg 06JT784	Calabria
06-1001-1	Lakeview Condominium v Pinehurst (Civil) <b>Decision:</b> No error	Moore 04CVS718	Steelman
06-1078-1	Hood v Mangum Group, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC273087	Elmore
06-1020-1	Chewning-Bass v Bass (Civil) <b>Decision:</b> Affirmed	New Hanover 03CVD4703	Calabria
06-1695-1	State v Graham (Criminal) <b>Decision:</b> No error	New Hanover 06CRS52204,06CRS52203	Calabria
07-210-1	In The Matter Of: K.S.E., B.N.E. (Juvenile - 3.1) <b>Decision:</b> Affirmed	New Hanover 06J39,06J38	Wynn, Jr.
07-341-1	In The Matter Of: D.R.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, reversed in part, and remanded	New Hanover 02J87,98J159	Tyson
07-485-1	In The Matter Of: D.Q.M.D., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed	New Hanover 06J424,06J425,06J423	Tyson
06-1256-1	Leonard v Tant (Civil) <b>Decision:</b> Affirmed	Onslow 04CVS3559	Steelman
06-699-1	Dempsey v Silver Creek Homeowners (Civil) <b>Decision:</b> Affirmed	Orange 05CVS113	Steelman
07-41-1	Sleath v Adams (Civil) <b>Decision:</b> Dismissed	Orange 03CVD1510	Calabria
07-197-1	In The Matter of: S.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Orange 02J5	Wynn, Jr.
06-1286-1	State v Coltrane (Criminal) <b>Decision:</b> No error	Randolph 02CRS58477,02CRS5847-8,02CRS58476	Bryant
06-955-1	Burrill v Long; Dept. of Insurance (Civil) <b>Decision:</b> Reversed and Remanded	Wake 03CVS13415	Stephens
07-398-1	In the Matter of: M.T.B., C.G.B. (Juvenile - 3.1)	Wake 06JA256,06JA255	McGee

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	<b>Decision:</b> Affirmed		
07-405-1	In The Matter Of: D.M., B.M., and A.M. (Juvenile - 3.1)	Wake 05JT744	McGee
	<b>Decision:</b> Affirmed		
06-1554-1	Boone Podiatry, P.A. v Fehring, et al (Civil)	Watauga 06CVS408	Smith
	<b>Decision:</b> Reversed and remanded		
06-1243-1	In The Matter of Foreclosure: Woodard (Civil)	Wilson 05SP422	Geer
	<b>Decision:</b> Affirmed		