

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 15 JANUARY 2008)**  
**(MANDATE 4 FEBRUARY 2008)**

Docket #	Title	County	Judge
06-1670-1	Andrews, et al v Haygood, et al (Civil) <b>Decision:</b> Affirmed	Alamance	Hunter
07-518-1	State v Lewis (Criminal) <b>Decision:</b> New trial	Avery	Jackson
03-1426-2	State v Walker, Browning & Hernandez (Criminal) <b>Decision:</b> Reversed and remanded for new sentencing hearing	Beaufort	Steelman
07-128-1	State v Little (Criminal) <b>Decision:</b> No error	Beaufort	Elmore
07-57-1	Perry v Baxley Development (Civil) <b>Decision:</b> Reversed and remanded	Brunswick	Hunter
07-185-1	Weaverville v Town Of Weaverville (Civil) <b>Decision:</b> Affirmed	Buncombe	Calabria
07-113-1	McDonald, et al v City of Concord (Civil) <b>Decision:</b> Affirmed	Cabarrus	Hunter
07-737-1	Catawba Valley Bank v Porter (Civil) <b>Decision:</b> Vacated	Catawba	Arrowood
07-171-1	State v Maready (Criminal) <b>Decision:</b> Reversed and remanded for a new trial	Durham	McGee
07-235-1	McIntyre v McIntyre (Civil) <b>Decision:</b> Affirmed	Forsyth	McGee
07-159-1	State v Moncree (Criminal) <b>Decision:</b> No error in part, vacated in part and remanded for resentencing	Gaston	Calabria
06-1631-1	State v Smith (Criminal) <b>Decision:</b> No prejudicial error	Guilford	Steelman
07-15-1	State v Coleman (Criminal) <b>Decision:</b> Vacated	Guilford	Stroud
07-757-1	State v Hanner (Criminal) <b>Decision:</b> Vacated and remanded in Part and No Error in part	Guilford	Arrowood
06-1564-1	Southeastern v Emerson, et al (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Haywood	Bryant
07-118-1	State v Myles (Criminal) <b>Decision:</b> Reversed and remanded	Haywood	Calabria

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07-4-1	In The Matter Of The Will Of: Jones (Civil) <b>Decision:</b> Affirmed	Johnston	McCullough
07-868-1	State v Cross (Criminal) <b>Decision:</b> Dismissed	McDowell	Arrowood
07-551-1	Good Hope Health v NC Dept Health & Hum (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Arrowood
06-1586-1	Williams v Law Companies Group, Inc. (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Bryant
07-53-1	Conyers v New Hanover Schools (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Stephens
07-198-1	Bolick v ABF Freight Systems (Civil) <b>Decision:</b> Affirmed in part; remanded for additional findings	N.C. Industrial Commission	McCullough
07-685-1	Swift v Richardson Sports Ltd. (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Arrowood
06-1690-1	Sprake, et al v NC Farm Bureau Mutual (Civil) <b>Decision:</b> Affirmed	Orange	Elmore
07-262-1	Holt v Albemarle Reg. Health Serv. Bd. (Civil) <b>Decision:</b> Affirmed	Pasquotank	Hunter
06-1591-1	State v Hernandez and Pedro (Criminal) <b>Decision:</b> Reversed and remanded	Pender	Calabria
06-1617-1	State v Labinski (Criminal) <b>Decision:</b> Affirmed	Pitt	Stroud
07-360-1	In The Matter Of: A.V. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Robeson	Calabria
05-1586-1	Croom v Hedrick (Civil) <b>Decision:</b> Affirmed in part; dismissed in part	Wake	Jackson
06-1594-1	State v Stephens (Criminal) <b>Decision:</b> No error	Wake	Jackson
06-1711-1	State, ex rel. v Ridgeway Brands Mfg. (Civil) <b>Decision:</b> Affirmed	Wake	Steelman
07-386-1	State v Hayes (Criminal) <b>Decision:</b> Reversed	Wake	Hunter
07-866-1	Rakestraw, et al v Town of Knightdale (Civil) <b>Decision:</b> Affirmed	Wake	Tyson
07-363-1	State v Thompson (Criminal) <b>Decision:</b> No error in part, reversed in part and remanded for resentencing	Wayne	Hunter

Docket #	Title	County	Judge
07-123-1	Applewhite v Alliance One International (Civil) <b>Decision:</b> Reversed and remanded	Wilson	McGee

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Docket #	Title	County	Judge
07-667-1	State v Ferguson (Criminal)  <b>Decision:</b> Affirmed	Alamance 06CRS50782,06CRS51384- ,06CRS21895,06CRS51385	Stephens
07-560-1	In The Matter Of: S.L.E. (Juvenile - 3.1)  <b>Decision:</b> Vacated in part	Buncombe 02CVD2235,06J139	Steelman
07-910-1	In The Matter Of: S.W. (Juvenile - 3.1)  <b>Decision:</b> Vacated	Buncombe 03JA245	Martin
07-96-1	State v Caudill (Criminal)  <b>Decision:</b> No error	Cabarrus 04CRS13570,04CRS13573- ,04CRS13571,04CRS1356- 9,04CRS13572	Elmore
07-394-1	State v Cochrane (Criminal)  <b>Decision:</b> No error	Caldwell 03CRS2327	Bryant
07-313-1	State v Hanton (Criminal)  <b>Decision:</b> Affirmed in part; no error in part	Cleveland 98CRS8537	Hunter
07-722-1	State v Green (Criminal)  <b>Decision:</b> Dismissed	Columbus 04CRS50338,04CRS50967- ,04CRS50561,04CRS5033- 7,04CRS50594	Stephens
07-915-1	State v Johnson (Criminal)  <b>Decision:</b> Affirmed	Cumberland 05CRS70520	Stephens
07-1056-1	In Re: J.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Cumberland 04JT522	Bryant
07-1042-1	In the Matter of: J.J. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Durham 04J249	McCullough
07-14-1	State v Dickerson (Criminal)  <b>Decision:</b> No error	Forsyth 03CRS58019,03CRS58418	Elmore
07-756-1	State v Harrison (Criminal)  <b>Decision:</b> Vacated	Forsyth 03CRS58786,02CRS50265	Stephens
07-822-1	In the Matter of: R.L.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Gaston 06JT359	Stroud
07-1058-1	In The Matter Of: M.S.C. (Juvenile - 3.1)  <b>Decision:</b> Reversed	Gaston 02JT25	Hunter
06-1595-1	State v Cole (Criminal)  <b>Decision:</b> Remanded for a new sentencing hearing	Guilford 03CRS24682,03CRS99364	Calabria

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06-1604-1	State v Thompson (Criminal) <b>Decision:</b> Affirmed	Guilford 92CRS20763,92CRS69514	Hunter
07-182-1	Williamson, et al v Woodard Funeral Home (Civil) <b>Decision:</b> Affirmed	Guilford 05CVS10071	Steelman
07-381-1	DOT v Jamestown Village Associates (Civil) <b>Decision:</b> Dismissed and remanded	Guilford 05CVS4161	Bryant
07-481-1	State v Kelley (Criminal) <b>Decision:</b> No error	Guilford 03CRS107419	Stephens
07-585-1	State v Quiroz (Criminal) <b>Decision:</b> No error	Guilford 05CRS82028,05CRS24535	Stephens
07-920-1	State v Lash (Criminal) <b>Decision:</b> No error	Guilford 06CRS72598	Tyson
07-379-1	State v Graveran (Criminal) <b>Decision:</b> No error	Harnett 04CRS51253,04CRS51252	Bryant
07-797-1	State v Scriven (Criminal) <b>Decision:</b> No error	Hoke 06CRS50068,06CRS50069- ,06CRS50067,06CRS50073	Stephens
07-1126-1	In The Matter Of: J.W.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Johnston 07JT36	Arrowood
07-529-1	Royal, et al v Pate, et al (Civil) <b>Decision:</b> Dismissed	Lenoir 05CVS502	Bryant
06-682-1	Brown v Brown (Civil) <b>Decision:</b> Affirmed in part; and remanded in part	Mecklenburg 03CVD3161	Steelman
06-1061-1	State v Craig (Criminal) <b>Decision:</b> Vacated in part; no prejudicial error in part	Mecklenburg 05CRS48516,05CRS48517- ,02CRS204851	Calabria
07-17-1	Mason v Freeman (Civil) <b>Decision:</b> Affirmed in part and remanded in part	Mecklenburg 04CVD2055,04CVD2056	Jackson
07-388-1	English v Nixon (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 01CVD218	Martin
07-435-1	State v Holt (Criminal) <b>Decision:</b> No error	Mecklenburg 04CRS228191,04CRS2281- 85,04CRS228189,04CRS2- 28192,04CRS228186,04CR- S228190,04CRS228184,04- CRS228188	Hunter

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07-691-1	State v Mai (Criminal)  <b>Decision:</b> Dismissed	Mecklenburg 05CRS220760,05CRS220759	Stephens
07-775-1	Odom v Clark, et al (Civil)  <b>Decision:</b> Dismissed	Mecklenburg 05CVS18159	Jackson
07-998-1	In The Matter Of: J.F. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Mecklenburg 07J128	Bryant
07-1044-1	In The Matter Of: M.K.B. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Mecklenburg 06JT449	McGee
06-1127-1	Kelley v Wake County Sheriff's Dept. (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC190804	Calabria
06-1412-1	Grove v Bar Construction Company (Civil)  <b>Decision:</b> Affirmed in part, remanded in part	N.C. Industrial Commission IC278724	Steelman
07-27-1	Shepherd v National Federation (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC357500	Jackson
07-224-1	Bowlin v Cornerstone Realty Trust (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC407143	Calabria
07-346-1	McCarver v Hunter Motors, Inc., et al (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC397085	Bryant
07-353-1	Sampson v Pilkington North America (Civil)  <b>Decision:</b> Appeal dismissed	N.C. Industrial Commission IC132597	Hunter
07-758-1	Whitley v Wilson Woodworks (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission IC428287	Tyson
06-1675-1	Keyzer v Amerlink, Ltd. (Civil)  <b>Decision:</b> Affirmed	Nash 02CVS2462	Jackson
07-76-1	Carroll v Perry (Civil)  <b>Decision:</b> Affirmed	Nash 06CVD469	Hunter
07-1010-1	In Re: J.D.W. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Nash 05JA173	Arrowood
06-1652-1	State v Jacobs and Criego (Criminal)  <b>Decision:</b> Jacobs appeal: No error in part, dismissed in part and dismissed in part without prejudice. Criego appeal: No error.	New Hanover 05CRS53291,04CRS64856- ,05CRS14256	Bryant
07-167-1	State v Mintz (Criminal)  <b>Decision:</b> No error	New Hanover 05CRS51687	McCullough

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07-484-1	State v Jordan (Criminal) <b>Decision:</b> No prejudicial error	Orange 05CRS8513	Bryant
07-538-1	State v Arreola (Criminal) <b>Decision:</b> Affirmed	Orange 06CRS1246,05CRS51615	Stephens
07-992-1	In The Matter Of: J.S.R. (Juvenile - 3.1) <b>Decision:</b> Reversed and remanded	Orange 05JA111	McCullough
06-858-1	Gatlin v Gatlin (Civil) <b>Decision:</b> Reversed	Pasquotank 01CVD17	Calabria
06-859-1	Gatlin v Gatlin (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Pasquotank 01CVD17	Calabria
07-263-1	Carver, et al v Carver, et al (Civil) <b>Decision:</b> Affirmed	Person 06CVS384	Hunter
07-982-1	In The Matters Of: S.M.F. and J.M.F. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 05JT89,05JT88	Hunter
07-1008-1	In The Matter Of: D.C.H. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Randolph 06JT94	Martin
07-433-1	State v Hagen (Criminal) <b>Decision:</b> No error; remanded to correct clerical error	Robeson 02CRS55647,02CRS55646	Hunter
07-296-1	Lawson v White, et al (Civil) <b>Decision:</b> Dismissed	Sampson	Stroud
07-665-1	Stark v Ratashara-Stark (Civil) <b>Decision:</b> Affirmed	Stokes 02CVD733	Bryant
07-439-1	Fairview Developers, Inc. v Miller (Civil) <b>Decision:</b> Dismissed	Union 04CVS1916	Stephens
07-29-1	Honeycutt v Honeycutt (Civil) <b>Decision:</b> Affirmed	Wake 05CVD14562	Hunter
07-110-1	State v Stokes (Criminal) <b>Decision:</b> No error	Wake 04CRS115562	Elmore
07-358-1	State v Ross (Criminal) <b>Decision:</b> No error	Wake 05CRS122348,05CRS117332	Hunter
07-948-1	In The Matter Of: D.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wake 06JT31	McGee
07-450-1	State v Berry (Criminal)	Washington 05CRS50555,05CRS50554	McCullough

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	<b>Decision:</b> No error		
06-1672-1	Burnette, et al v City of Goldsboro (Civil)	Wayne 05CVS1992	Bryant
	<b>Decision:</b> Affirmed		
07-559-1	State v Bullock (Criminal)	Wilson 06CRS52945	Bryant
	<b>Decision:</b> Vacated		