

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 4 MARCH 2008)**  
**(MANDATE 24 MARCH 2008)**

Docket #	Title	County	Judge
07-253-1	State v Newell (Criminal) <b>Decision:</b> New trial	Buncombe	Stroud
07-1313-1	In the Matter of: B.L.H., Z.L.H. (Juvenile - 3.1) <b>Decision:</b> Vacated	Buncombe	Calabria
07-884-1	Hartsell v Hartsell (Civil) <b>Decision:</b> Affirmed in part and Remanded in part	Cabarrus	Arrowood
07-383-1	State v Harris (Criminal) <b>Decision:</b> No error	Columbus	McGee
07-1346-1	In Re: A.F.H-G (Juvenile - 3.1) <b>Decision:</b> Vacated	Cumberland	Steelman
07-1372-1	In Re: J.T., J.T., A.J. (Juvenile - 3.1) <b>Decision:</b> Vacated	Cumberland	Steelman
07-804-1	Ruiz v Mecklenburg Utilities, Inc. (Civil) <b>Decision:</b> Affirmed	Forsyth	McCullough
07-762-1	Steward v Green (Civil) <b>Decision:</b> Affirmed	Guilford	Arrowood
07-467-1	Hill v West, et al (Civil) <b>Decision:</b> Affirmed	Johnston	McGee
07-468-1	Hill, et al v West, et al (Civil) <b>Decision:</b> Affirmed	Johnston	McGee
07-269-1	Freeman v Rothrock, et al (Civil) <b>Decision:</b> Reversed and remanded	N.C. Industrial Commission	Jackson
07-717-1	Coulter, et al v Catawba County Bd. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Steelman
06-1666-2	NC State Bar v Key (Civil) <b>Decision:</b> Affirmed	N.C. State Bar	Steelman
07-342-1	In The Matter Of: Winstead (Civil) <b>Decision:</b> Reversed and remanded	Nash	McGee
07-11-1	Wilmington v Hill (Civil) <b>Decision:</b> Affirmed	New Hanover	Jackson
07-909-1	State v Irons (Criminal) <b>Decision:</b> No error	Robeson	Bryant
07-546-1	State v Southards (Criminal) <b>Decision:</b> No error; remanded for correction of judgment to strike award of restitution	Swain	Martin

Docket #	Title	County	Judge
07-490-1	Greene v Hoekstra (Civil) <b>Decision:</b> Affirmed	Transylvania	Stroud
06-1576-1	In Re: Advance America, et al (Civil) <b>Decision:</b> Reversed	Wake	Geer
07-3-1	Lineberger v NC Dept. of Correction (Civil) <b>Decision:</b> Affirmed	Wake	Calabria
07-494-1	Burrell v Sparkkles Reconstruction Co. (Civil) <b>Decision:</b> Affirmed	Wake	Wynn, Jr.
07-580-1	State v Calhoun (Criminal) <b>Decision:</b> No error	Wake	Hunter
07-984-1	Fulmore v Howell (Civil) <b>Decision:</b> Affirmed	Wayne	Arrowood

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 4 MARCH 2008)**  
**(MANDATE 24 MARCH 2008)**

Docket #	Title	County	Judge
07-924-1	State v Brooks (Criminal) <b>Decision:</b> No error	Alleghany 05CRS50176	Elmore
07-537-1	State v Sykes (Criminal) <b>Decision:</b> No error	Bladen 05CRS52870	McGee
07-779-1	State v Upchurch (Criminal) <b>Decision:</b> Reversed	Buncombe 06CRS209 06CRS50756	Wynn, Jr.
07-1039-1	Isaac v Wells (Civil) <b>Decision:</b> Affirmed in part and remanded with instructions	Buncombe 06CVD2918	Stephens
07-773-1	State v Payne (Criminal) <b>Decision:</b> No error	Caldwell 05CRS52065 05CRS52064	Stephens
07-776-1	Carolina Tailors, et al v Wagner (Civil) <b>Decision:</b> Dismissed	Carteret 03CVS1214	Stephens
07-1424-1	In Re: J.E.C.M. and R.E.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Carteret 05J120 05J119	Stephens
07-1408-1	In The Matter Of: K.J.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cleveland 06JT142	Calabria
07-649-1	State v Dockery (Criminal) <b>Decision:</b> Affirmed	Cumberland 06CRS56336	Stephens
07-591-1	Burek v Mancuso (Civil) <b>Decision:</b> Reversed and remanded	Dare 04CVS133	Hunter
07-472-1	State v Larson (Criminal) <b>Decision:</b> No error	Davidson 04CRS62474 04CRS62475 04CRS62473 04CRS62479	Stephens
07-556-1	State v Brightwell (Criminal) <b>Decision:</b> Affirmed	Davidson 05CRS61089 05CRS61088	Stephens
07-805-1	Wattiker v Bowens (Civil) <b>Decision:</b> Affirmed	Durham 05CVD6313	Steelman
07-521-1	State v Brinkley (Criminal) <b>Decision:</b> No error	Edgecombe 05CRS54347 05CRS54345	Stephens
07-666-1	State v Kearns (Criminal) <b>Decision:</b> Vacated	Forsyth 04CRS38563 04CRS38558 04CRS38561 04CRS38564 04CRS38559 04CRS38562 04CRS38557 04CRS38560	Stephens
07-912-1	State v Wood (Criminal)	Forsyth 06CRS11511 05CRS64949	Jackson

Docket #	Title	County	Judge
	<b>Decision:</b> No error		
07-954-1	State v Crowell (Criminal)	Forsyth 05CRS54479	Stephens
	<b>Decision:</b> No error		
06-910-1	Skeen v McIntyre (Civil)	Gaston 05CVS3246	Calabria
	<b>Decision:</b> Affirmed		
06-999-1	Skeen v Warren & Sweat Mfg. Inc. (Civil)	Gaston 05CVS1261	Calabria
	<b>Decision:</b> Reversed		
07-347-1	Iglesias v City of Oxford, et al (Civil)	Granville 06CVS994	McGee
	<b>Decision:</b> Affirmed		
07-411-1	State v Leach (Criminal)	Guilford 05CRS23010 05CRS2309	Stephens
	<b>Decision:</b> No error		
07-514-1	State v Womack (Criminal)	Guilford 04CRS96897	Martin
	<b>Decision:</b> New trial		
07-339-1	Lee v Lee (Civil)	Halifax 97CVD748	Calabria
	<b>Decision:</b> Affirmed in part; remanded in part with instructions		
07-464-1	State v Caldwell (Criminal)	Jackson 06CRS3076 06CRS3075	McGee
	<b>Decision:</b> Affirmed		
07-337-1	State v Toler (Criminal)	Johnston 06CRS50670 06CRS50671 06CRS50669	Steelman
	<b>Decision:</b> No error		
07-469-1	Hill v West, et al (Civil)	Johnston 04CVS55	McGee
	<b>Decision:</b> Affirmed		
07-860-1	State v Ballard (Criminal)	McDowell 05CRS50587 06CRS2677 05CRS50583	Hunter
	<b>Decision:</b> No prejudicial error		
07-632-1	State v Rhodes aka Miller (Criminal)	Mecklenburg 06CRS42795	Stephens
	<b>Decision:</b> Affirmed		
07-750-1	State v Howey (Criminal)	Mecklenburg 06CRS242184	Steelman
	<b>Decision:</b> Affirmed		
07-843-1	State v Brown (Criminal)	Mecklenburg 05CRS220622 06CRS14614 05CRS220621	Stephens
	<b>Decision:</b> No error		
07-991-1	In the Matter of: M.A.R. (Juvenile - Criminal)	Mecklenburg 93J455	Arrowood
	<b>Decision:</b> Reversed and remanded		
07-1019-1	State v Bogar (Criminal)	Mecklenburg 06CRS213895 06CRS213894	Arrowood

Docket #	Title	County	Judge
	<b>Decision:</b> No error		
06-58-1	Freeman v Bullard (Civil)	Montgomery 01CVS274	Elmore
	<b>Decision:</b> No error		
07-862-1	Household Realty Corp. v Guinn (Civil)	Moore 05CVD1109	Hunter
	<b>Decision:</b> Dismissed		
07-625-1	James v Carolina Power & Light (Civil)	N.C. Industrial Commission IC985521	Elmore
	<b>Decision:</b> Dismissed		
07-734-1	Brown v Black & Decker Corporation (Civil)	N.C. Industrial Commission IC282656	Steelman
	<b>Decision:</b> Affirmed		
07-778-1	Ellison v Dana Corporation (Civil)	N.C. Industrial Commission IC488865	Hunter
	<b>Decision:</b> Affirmed		
07-841-1	Elixson v Advanced Residuals Management (Civil)	N.C. Industrial Commission IC447570	Arrowood
	<b>Decision:</b> Affirmed		
07-898-1	Morrison v Outback Steakhouse (Civil)	N.C. Industrial Commission IC248201 IC281383	Arrowood
	<b>Decision:</b> Affirmed		
07-976-1	Robinson v Altria Group, Inc. (Civil)	N.C. Industrial Commission IC406538	Arrowood
	<b>Decision:</b> Arrowood		
07-1027-1	Brown v Via Electric Company (Civil)	N.C. Industrial Commission IC503132	Tyson
	<b>Decision:</b> Dismissed		
07-540-1	Powell v Powell Bail Bonding, Inc. (Civil)	New Hanover 06CVS914	Bryant
	<b>Decision:</b> Affirmed in part, reversed in part		
07-1350-1	In The Matter Of: M.J.M. and M.L.S. (Juvenile - 3.1)	New Hanover 03JT415 03JT414	Stephens
	<b>Decision:</b> Affirmed		
07-418-1	Ink Pen Retreat Corp. v Hunter Heath (Civil)	Onslow 06CVS714	Stephens
	<b>Decision:</b> Dismissed and remanded with instructions		
07-457-1	State v Tante (Criminal)	Onslow 06CRS51259 06CRS1267	Elmore
	<b>Decision:</b> No error		
07-769-1	State v Hill (Criminal)	Onslow 06CRS51991	Arrowood
	<b>Decision:</b> No error		
06-1681-1	Winrow, et al v Discovery Ins. et al (Civil)	Pasquotank 04CVD525	Stroud
	<b>Decision:</b> Affirmed		
07-231-1	In The Matter Of: Beane (Civil)	Richmond 05SP83	Stephens
	<b>Decision:</b> Affirmed		
07-1053-1	Wallace v Estate of Wallace, et al (Civil)	Richmond 04CVS239	Arrowood

Docket #	Title	County	Judge
	<b>Decision:</b> Appeal dismissed		
07-230-1	Owens v Owens (Civil)	Rowan 00CVD3118	Calabria
	<b>Decision:</b> Affirm in part, reverse in part and remand		
07-392-1	Majors v Majors (Civil)	Rowan 05CVS2954	McCullough
	<b>Decision:</b> Affirmed		
07-962-1	State v Gray (Criminal)	Rutherford 06CRS51190 06CRS51189	Arrowood
	<b>Decision:</b> No error		
07-1061-1	State v Phillips (Criminal)	Rutherford 06CRS1525	Arrowood
	<b>Decision:</b> Affirmed		
07-957-1	Thomas v Thomas (Civil)	Stanly 04CVD531	Arrowood
	<b>Decision:</b> Affirmed		
07-1013-1	Sisk v Amini (Civil)	Union 06CVS2454	Tyson
	<b>Decision:</b> Affirmed		
07-956-1	State v Mitchell (Criminal)	Wake 06CRS26800	Arrowood
	<b>Decision:</b> No error		
07-1023-1	State v Davis (Criminal)	Wake 06CRS29794	Tyson
	<b>Decision:</b> No error		
07-597-1	State v Uzzell (Criminal)	Wayne 06CRS4895 05CRS56029	Hunter
	<b>Decision:</b> No error		
07-771-1	State v Horton (Criminal)	Wilkes 06CRS50758 06CRS1778 06CRS50757	Arrowood
	<b>Decision:</b> Reversed in part, no error in part		