IN THE COURT OF APPEALS

CASES REPORTED WITH PUBLISHED OPINIONS

(FILED 16 DECEMBER 2008)
(MANDATE 5 JANUARY 2009)

Docket #	Title	County	Judge
07-1507-1	State v Lawson (Criminal) **Decision:** No Error	Alamance	McCullough
08-221-1	State v Bare (Criminal) **Decision:** No Error	Alleghany	Arrowood
08-203-1	In The Matter Of The Estate Of: Severt (Civil) **Decision:** Reversed	Ashe	Jackson
08-613-1	State v English (Criminal) **Decision:** New Trial	Burke	Tyson
08-285-1	Ross v Ross (Civil) **Decision:** Dismissed	Carteret	McCullough
08-576-1	In The Matter Of: J.W.S. (Juvenile - 3.1) **Decision:** Reversed	Carteret	Stephens
08-246-1	Edmunds v Edmunds (Civil) **Decision:** Affirmed in part, Reversed in part, and Remanded	Columbus	Calabria
08-284-2	In The Matter Of: K.J.L. (Juvenile - 3.1) **Decision:** Vacated	Davidson	Stroud
08-622-1	In Re: I.T.P-L. (Juvenile - 3.1) **Decision:** Affirm in part and Vacate in part	Duplin	Stephens
07-1543-1	Hackos v Smith (Civil) **Decision:** Affirmed	Durham	Jackson
08-63-1	Hackos v Smith (Civil) **Decision:** Dismissed	Durham	Jackson
08-734-1	State v Wooten (Criminal) **Decision:** Affirmed	Greene	Calabria
08-242-1	Cambridge Homes v Hyundai Const., et al (Civil) **Decision:** Reversed and Remanded	Mecklenburg	Calabria
08-270-1	Town of Matthews v Wright (Civil) **Decision:** Reversed and Remanded	Mecklenburg	Bryant
08-478-1	State v Isenhour (Criminal) **Decision:** Affirmed	Mecklenburg	Hunter
08-56-1	Treat v Mecklenburg County (Civil) **Decision:** Affirmed	N.C. Industrial Commission	McGee
08-128-1	Huffman v Moore County (Civil) **Decision:** Reversed and Remanded	N.C. Industrial Commission	Arrowood

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08-439-1	Floyd v Executive Personnel Group (Civil) **Decision:** Affirmed	N.C. Industrial Commission	McCullough
08-620-1	State v Hussey (Criminal) **Decision:** No error	Nash	Calabria
08-457-1	Ventriglia v Deese (Civil) **Decision:** Affirmed	New Hanover	Arrowood
08-181-1	Wilkins v CSX Transportation, Inc. (Civil) **Decision:** No Error in part; reversed in part and remanded	Northampton	Calabria
05-1183-2	Jones v Harrelson & Smith (Civil) **Decision:** Affirmed in part, Reversed in part and Remanded	Pamlico	Geer
08-277-1	State v Ford (Criminal) **Decision:** Affirmed	Richmond	Bryant
08-470-1	State v Cowan (Criminal) **Decision:** No Prejudicial Error	Rowan	Stroud
07-647-1	Allred v Capital Area Soccer, et al (Civil) **Decision:** Reversed and Remanded	Wake	Steelman
07-1572-1	State v Philip Morris USA, Inc., et al (Civil) **Decision:** Reversed and Remanded	Wake	Tyson
08-248-1	Eakes v Eakes (Civil) **Decision:** Affirmed	Wake	Steelman
08-290-1	Eakes v Eakes (Civil) **Decision:** Vacated and remanded	Wake	Steelman
08-601-1	State v Charles (Criminal) **Decision:** No Error	Wake	McCullough
08-30-1	Helm v Appalachian State University (Civil) **Decision:** Affirmed	Watauga	Elmore
08-485-1	Cornett v Watauga Surgical Group (Civil) **Decision:** Affirmed	Watauga	Calabria
08-67-1	State v Anderson (Criminal) **Decision:** No Error	Wayne	McCullough
08-578-1	Wiggs v Peedin (Civil) **Decision:** Reversed and Remanded	Wayne	Tyson

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08-574-1	Cumbo v Cumbo (Civil)	Beaufort 04CVD1174	Calabria
	Decision: Affirmed		
08-184-1	Emick v Sunset Beach & Twin Lakes, Inc. (Civil)	Brunswick 03CVS2008	Elmore
	Decision: Affirmed		
08-303-1	State v Brewer (Criminal)	Buncombe 04CRS8969,04CRS8964,0-4CRS8978,04CRS8973,04-CRS8967,04CRS8976,04C-RS8970,04CRS8965,04CR-S8983,04CRS8974,04CRS-8968,04CRS8963,04CRS8-977,04CRS8971,04CRS89-66,04CRS52140,04CRS8975	Geer
	Decision: Affirmed		
08-661-1	State v Lewis (Criminal)	Buncombe 06CRS57491,06CRS57498-,06CRS57494,06CRS9858,-06CRS57496	Bryant
	Decision: No Error		
08-825-1	In The Matter Of: K.E., Jr. (Juvenile - 3.1)	Buncombe 07JA454	Bryant
	Decision: Vacated		
08-414-1	State v Davis (Criminal)	Burke 04CRS1324	Calabria
	Decision: No Error		
08-454-1	In Re: B.M.A. (Juvenile - 3.1)	Burke 05JT131	Wynn, Jr.
	Decision: Affirmed		
08-694-1	State v Wheeler (Criminal)	Cabarrus 07CRS8245,07CRS8244	Bryant
	Decision: No Error		
08-319-1	State v Sparks (Criminal)	Caldwell 04CRS8000,05CRS4231,0-4CRS1202	Geer
	Decision: Dismissed		
08-814-1	In The Matter Of: J.T.F. and S.L.F. (Juvenile - 3.1)	Caldwell 06J137,06J135	Arrowood
	Decision: Affirmed		
07-1508-1	Moser v Smith (Civil)	Catawba 06CVS3386	Steelman
	Decision: Affirmed		
08-596-1	State v Woods (Criminal)	Catawba 06CRS1887	Bryant
	Decision: No Error		
08-263-1	Byrd Family v Cameron L. Smith & Son (Civil)	Columbus 07CVS667	Elmore
	Decision: Affirmed		
08-375-1	State v Wilds (Criminal)	Columbus 06CRS51617,06CRS51616	Wynn, Jr.

Docket #	Title	County	Judge
	Decision: No Error		
08-878-1	State v Harlow (Criminal)	Columbus 07CRS50032	Arrowood
	Decision: No Error		
08-900-1	In The Matter Of: J.Y. and N.Y. (Juvenile - 3.1)	Cumberland 05JT689,05JT688	Arrowood
	Decision: Affirmed		
08-340-1	State v Goldston (Criminal)	Durham 04CRS50797	Arrowood
	Decision: No Error		
08-539-1	State v Coffin (Criminal)	Durham 01CRS50252	Calabria
	Decision: No Error		
08-208-1	State v Jones (Criminal)	Forsyth 06CRS31289,06CRS63871	Bryant
	Decision: No Error		
08-240-1	State v Wagner (Criminal)	Forsyth 06CRS57682,06CRS36461	Bryant
	Decision: No Error		
08-244-1	State v Villarreal (Criminal)	Forsyth 07CRS52285	Geer
	Decision: No Error		
08-330-1	State v Brito (Criminal)	Forsyth 03CRS57535,04CRS38529	Steelman
	Decision: No Error as to Trial. Remanded for resentencing on 04CRS38529		
08-377-1	State v House (Criminal)	Forsyth 06CRS37790,07CRS50562	Geer
	Decision: No Error		
08-502-1	State v Gamble (Criminal)	Forsyth 06CRS15967,06CRS60817	McCullough
	Decision: No Error		
08-590-1	State v Stephens (Criminal)	Forsyth 07CRS54983	Arrowood
	Decision: No Error		
08-393-1	State v Hicks (Criminal)	Gaston 05CRS3250,05CRS51705	Geer
	Decision: No Error		
08-934-1	In The Matter Of: V.M.C. (Juvenile - 3.1)	Gaston 05JT332	Arrowood
	Decision: Affirmed		
08-84-1	State v Grier (Criminal)	Granville 07IFS952	Geer
	Decision: No Error		
08-212-1	State v Caviness (Criminal)	Guilford 07CRS24697,07CRS77676-,07CRS24696,07CRS77677	Geer
	Decision: No Error		
08-243-1	State v McKinney (Criminal)	Guilford 03CRS84998	Arrowood
	Decision: Affirmed		

Docket #	Title	County	Judge
08-429-1	State v Wood (Criminal)	Guilford 07CRS90977,07CRS90975	Bryant
	Decision: No Error		
08-808-1	In the Matter of: A.M. (Juvenile - 3.1)	Guilford 08JA1	Geer
	Decision: Affirmed		
08-392-1	Citibank v Bowen (Civil)	Harnett 07CVD497	Hunter
	Decision: Affirmed		
08-821-1	In Re: J.M.E. (Juvenile - 3.1)	Harnett 05J39	Calabria
	Decision: Affirmed		
08-199-1	State v Patton (Criminal)	Henderson 05CRS6240,05CRS6241,0- 5CRS6239,05CRS6242	Calabria
	Decision: Affirmed		
08-607-1	State v Gatling (Criminal)	Hertford 94CRS577	Bryant
	Decision: Affirmed		
08-566-1	State v Maysonet (Criminal)	Iredell 06CRS57801,06CRS11619,- 06CRS57799,06CRS57792- ,06CRS57795,06CRS11618- ,06CRS57798	Arrowood
	Decision: No Error		
08-866-1	State v Jones (Criminal)	Iredell 06CRS61968	Arrowood
	Decision: No Error in part; vacate in part; and remand		
08-658-1	State v Harvey (Criminal)	Johnston 04CRS55808	Arrowood
	Decision: No Error		
08-228-1	State v McNeill (Criminal)	Lee 07CRS51043	McGee
	Decision: No error		
08-390-1	Evergreen Constr. v City of Kinston (Civil)	Lenoir 07CVS1023	Bryant
	Decision: Reversed and Remanded		
08-202-1	Elder Broach Properties v McNeel (Civil)	Mecklenburg 05CVD6956	Wynn, Jr.
	Decision: Affirmed in part, Reversed in part		
08-292-1	State v Grant (Criminal)	Mecklenburg 05CRS244095,05CRS7634- 2,05CRS244094	Geer
	Decision: No Error		
08-417-1	State v Hill (Criminal)	Mecklenburg 07CRS210305	Bryant
	Decision: No Error		
08-606-1	State v Jones (Criminal)	Mecklenburg 06CRS229547	Arrowood
	Decision: No Prejudicial Error		

Docket #	Title	County	Judge
08-735-1	State v Ferguson (Criminal)	Mecklenburg 06CRS241687,06CRS2416-91,06CRS235798,07CRS214062	Arrowood
	Decision: Remanded for new sentencing hearing		
08-870-1	In The Matter Of: D.N. (Juvenile - 3.1)	Mecklenburg 06JT1247	Calabria
	Decision: Affirmed		
08-880-1	In The Matter Of: T.L.A., E.A., T.R.A. (Juvenile - 3.1)	Mecklenburg 06JT924,06JT1251,06JT923	Hunter
	Decision: Affirmed		
08-165-1	Stallings v NC Dept. Of The State (Civil)	N.C. Industrial Commission TA18810	Calabria
	Decision: Affirmed in part and Reversed in part		
08-355-1	Coston v Smithfield Packing, Inc. (Civil)	N.C. Industrial Commission IC605852	Wynn, Jr.
	Decision: Affirmed		
08-451-1	Jones v Food Lion (Civil)	N.C. Industrial Commission IC545151	Arrowood
	Decision: Affirmed		
08-538-1	Hinceman v Food Lion, et al (Civil)	N.C. Industrial Commission IC391486	Calabria
	Decision: Affirmed in part, Remanded in part		
08-548-1	Hamilton v Norton Doors, et al (Civil)	N.C. Industrial Commission IC589494	Calabria
	Decision: Affirmed		
08-447-1	State v Ingram (Criminal)	Nash 06CRS50725,06CRS50726-,06CRS50724	Stroud
	Decision: No Error		
08-218-1	Walker, et al v New Hanover Co. Bd. (Civil)	New Hanover 07CVS1116	Stephens
	Decision: Affirmed		
08-567-1	State v Bell (Criminal)	Onslow 06CRS53782,06CRS53781	Arrowood
	Decision: No Error		
08-291-1	State v Silver (Criminal)	Pitt 07CRS50226,07CRS2525	Geer
	Decision: No Error		
08-677-1	State v Cherry (Criminal)	Pitt 07CRS52628,07CRS52629-,07CRS52627	Stroud
	Decision: Dismissed		
08-350-1	State v Hammonds (Criminal)	Robeson 05CRS50312,05CRS50313-,05CRS50311	Geer
	Decision: Affirmed		
08-136-1	State v Coleman (Criminal)	Rowan 06CRS50585	McCullough
	Decision: No Prejudicial Error		

Docket #	Title	County	Judge
08-726-1	State v Gladden (Criminal)	Rowan 05CRS53979,05CRS53980-,05CRS53978,06CRS5010	Arrowood
	Decision: Affirmed		
08-545-1	State v Pegues (Criminal)	Sampson 07CRS50240	Bryant
	Decision: No Error		
08-494-1	Skerrett v Skerrett (Civil)	Transylvania 07CVD473	Wynn, Jr.
	Decision: Affirmed		
04-294-2	State v Hernandez-Madrid (Criminal)	Wake 02CRS51220,02CRS51222-,02CRS209,02CRS51225	Wynn, Jr.
	Decision: No Error		
07-1345-1	State v Silva (Criminal)	Wake 05CRS101794,05CRS1017-96,05CRS101793,05CRS101797	McCullough
	Decision: No Error		
08-160-1	State v Smith (Criminal)	Wake 05CRS9375,05CRS59140,-05CRS9374,05CRS59141	Bryant
	Decision: No Error		
08-273-1	State v Kidd (Criminal)	Wake 06CRS62260	Elmore
	Decision: No Error		
08-311-1	N.C. Department of Labor v Sutton (Civil)	Wake 07CVS13159	Arrowood
	Decision: Affirmed		
08-389-1	State v Morris (Criminal)	Wake 05CRS35229,05CRS37632-,05CRS35227	Stroud
	Decision: No Prejudicial Error		
08-455-1	State v Jackson (Criminal)	Wake 06CRS88878	Bryant
	Decision: No Error		
08-905-1	In The Matter Of: A.K., et al (Juvenile - 3.1)	Wilson 06JA119,08JA35,06JA120,-06JA118,06JA121	Bryant
	Decision: Affirmed in part, Reversed and Remanded in part		