

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 AUGUST 2009)**  
**(MANDATE 8 SEPTEMBER 2009)**

Docket #	Title	County	Judge
08-1447-1	Petty v Petty (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Cabarrus	Bryant
09-25-1	In The Matter Of: J.D.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Craven	Stroud
08-1214-1	State v Brown (Criminal) <b>Decision:</b> Affirmed	Cumberland	Steelman
08-1198-1	State, Midgett v Midgett (Civil) <b>Decision:</b> Reversed and Remanded	Dare	Hunter
08-894-1	In The Matter Of: Hayes (Civil) <b>Decision:</b> Reversed and Remanded	Forsyth	Geer
08-1139-1	Griessel v Tamas Eye Center, P.C. (Civil) <b>Decision:</b> Dismissed in part, reversed and remanded in part	Forsyth	Elmore
08-1217-1	State v Savage (Criminal) <b>Decision:</b> Remanded	Forsyth	Jackson
08-1261-1	Whiteheart v Waller (Civil) <b>Decision:</b> Affirmed	Forsyth	Calabria
08-1144-1	Noble v Hooters of Greenville (Civil) <b>Decision:</b> Affirmed	Greene	Stephens
08-1016-1	In the Matter of: M.S. (Juvenile - Criminal) <b>Decision:</b> Vacated	Guilford	Geer
08-1216-1	Mileski v McConville (Civil) <b>Decision:</b> Affirmed	Guilford	Bryant
08-1146-1	Mosler v Druid Hills Land Co., Inc. (Civil) <b>Decision:</b> Affirmed	Henderson	Stroud
08-1003-1	State v Witherspoon (Criminal) <b>Decision:</b> No Error	Iredell	Geer
08-1385-1	State v Giddens (Criminal) <b>Decision:</b> new trial	Macon	Stephens Bryant(d)
08-179-1	US Trust Co. v Stanford Group Co. (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Per Curiam
08-813-1	Jeffers v D'Alessandro (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Geer

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08-1391-1	Barloworld Fleet v Palmetto Forest (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stroud
09-83-1	Richardson v NC Dept. of Public Inst. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
08-1304-1	State v Cole & Cole (Criminal) <b>Decision:</b> No error in part; Vacated in part; remanded	Moore	Jackson
08-1436-1	Hawkins v General Electric Co. (Civil) <b>Decision:</b> Affirmed in part, reversed in part and remanded	N.C. Industrial Commission	Calabria
08-957-1	Boseman v Jarrell (Civil) <b>Decision:</b> Affirmed in part, Vacated in part and remanded	New Hanover	Bryant
08-978-1	State v Ward (Criminal) <b>Decision:</b> No error in part; new trial in part	New Hanover	Ervin, IV
08-944-1	Brown, et al v Meter, et al (Civil) <b>Decision:</b> Affirmed	Onslow	Ervin, IV
08-765-1	Lawyer v City of Elizabeth City NC (Civil) <b>Decision:</b> Reversed	Pasquotank	Jackson
08-1259-1	State v Willis (Criminal) <b>Decision:</b> Vacated in part and remanded	Pender	Elmore
08-1517-1	State v Jackson (Criminal) <b>Decision:</b> Reversed and vacated	Rutherford	Stephens
08-310-2	Farrell v Transylvania Co. Bd. of Educ. (Civil) <b>Decision:</b> Affirmed	Transylvania	Jackson
08-614-1	Guyton v FM Lending Services, Inc. (Civil) <b>Decision:</b> Affirmed in part; Reversed and Remanded in part	Wake	Ervin, IV
08-1356-1	NC Dept. of Revenue v Nicolai (Civil) <b>Decision:</b> Affirmed	Wake	McGee
08-1462-1	Carson v Carson (Civil) <b>Decision:</b> Reversed and Remanded	Wake	Hunter
08-1367-1	Pardue v Brinegar (Civil) <b>Decision:</b> Affirmed	Wilkes	Elmore Steelman(d)

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Docket #	Title	County	Judge
08-643-1	JMW Concrete v John W. Daniel & Company (Civil) <b>Decision:</b> Affirmed	Alamance 06CVS2542	Jackson
09-449-1	In The Matter Of: J.R., I.R., D.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alamance 06JT0200 06JT202 06JT0199	Jackson
08-1138-1	State v Randolph (Criminal) <b>Decision:</b> Vacated and remanded	Beaufort 06CRS3927 06CRS51847	Steelman
08-1539-1	Granville v Yeddo, et al (Civil) <b>Decision:</b> Affirmed	Brunswick 08CVS1471	McGee
08-1205-1	Overcash v NC Dept. of Environment (Civil) <b>Decision:</b> Affirmed	Cabarrus 06CVS745	Calabria
07-1372-2	In Re: J.T., J.T., A.J. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Cumberland 04JT653 04JT654 04JT652	Steelman
08-1495-1	State v Robinson (Criminal) <b>Decision:</b> No prejudicial error	Cumberland 07CRS63287	Hunter
09-152-1	State v McNair (Criminal) <b>Decision:</b> No Error	Cumberland 06CRS53627	Bryant
08-1189-1	State v Tucker (Criminal) <b>Decision:</b> No Error	Forsyth 06CRS54799	Stroud
09-40-1	State v Adams (Criminal) <b>Decision:</b> No Error	Gaston 05CRS64259	Hunter, Jr.
08-899-1	Lupo v Share of NC, Inc. (Civil) <b>Decision:</b> Reversed and remanded in part; affirmed in part; dismissed in part	Guilford 07cvs2432	Geer
08-1393-1	Harleysville Mutual v Buzz Off Insect (Civil) <b>Decision:</b> Vacated	Guilford 06CVS6714	Stroud
08-1449-1	State v Thomas (Criminal) <b>Decision:</b> No prejudicial error	Guilford 03CRS95113 03CRS950103 03CRS95109 03CRS950104 03CRS95110 03CRS950102 03CRS950105	Bryant
08-1456-1	Augusta Homes, Inc. v Feuerstein (Civil) <b>Decision:</b> Affirmed	Iredell 05CVS2929	Stephens
09-208-1	In The Matter Of: C.N.P., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed	Lee 05J8-10	Bryant
08-1246-1	State v Whitley (Criminal)	Martin 06CRS51512	Hunter, Jr.

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	<b>Decision:</b> No Error		
08-472-1	US Trust Co., N.A. v Burkett, et al (Civil)	Mecklenburg 07CVS14445	Per Curiam
	<b>Decision:</b> Affirmed in part, dismissed in part		
08-1476-1	State v Umanzor and Carranza (Criminal)	Mecklenburg 06CRS238917 06CRS238939 06CRS238918 06CRS238940 06CRS238916 06CRS238938	Steelman
	<b>Decision:</b> No error in part and vacated in part		
09-99-1	Anthony v Continental Tire (Civil)	N.C. Industrial Commission IC392600	Calabria
	<b>Decision:</b> Affirmed		
08-1104-1	State v Marengo (Criminal)	Onslow 05CRS57976	Calabria
	<b>Decision:</b> No Error		
08-1186-1	State v Strickland (Criminal)	Person 06CRS53124	Calabria
	<b>Decision:</b> No prejudicial error		
09-410-1	In The Matter Of: C.G.H. (Juvenile - 3.1)	Randolph 07JT149	Jackson
	<b>Decision:</b> Remanded		
09-345-1	In The Matter Of: J.M., et al (Juvenile - 3.1)	Rockingham 07JA32 07JA35 07JA33 04JA39 07JA31 07JA34	McGee
	<b>Decision:</b> Affirmed		
08-418-1	MSC Industrial Direct Co. v Steele (Civil)	Union 07CVS2847	Jackson
	<b>Decision:</b> Affirmed		
08-904-1	State v Webb (Criminal)	Union 04CRS50463 04CRS50462	Geer
	<b>Decision:</b> No Error		
08-1196-1	Raef v Union County Public Schools (Civil)	Union 06CVS1169	Calabria
	<b>Decision:</b> Reversed and Remanded		
08-1502-1	State v Louis (Criminal)	Wake 07CRS11849 07CRS11848	Hunter, Jr.
	<b>Decision:</b> Affirmed		
09-437-1	In The Matter Of: D.M.S. and D.L.H. (Juvenile - 3.1)	Wake 07JT188 07JT187	McGee
	<b>Decision:</b> Affirmed		