

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 MARCH 2009)**  
**(MANDATE 6 APRIL 2009)**

Docket #	Title	County	Judge
08-591-1	State v Cortes-Serrano (Criminal) <b>Decision:</b> No error	Brunswick	Martin
08-229-1	Thrash Limited v County of Buncombe (Civil) <b>Decision:</b> Affirmed in part; Reversed and remanded in part	Buncombe	Steelman
08-327-1	Thrash Ltd v County of Buncombe (Civil) <b>Decision:</b> Affirmed in part; Reversed and remanded in part	Buncombe	Steelman
08-1215-1	State v Frady (Criminal) <b>Decision:</b> No error	Buncombe	Steelman
08-627-1	State v Fields (Criminal) <b>Decision:</b> Reversed and remanded	Columbus	Hunter, Jr.
08-747-1	NC Baptist Hospital v Novant Health (Civil) <b>Decision:</b> Affirmed	Davie	Steelman
08-746-1	State v Boggess (Criminal) <b>Decision:</b> No error	Durham	Wynn, Jr.
08-823-1	Bynum v Nash-Rocky Mount Board of Educ. (Civil) <b>Decision:</b> Reversed	Edgecombe	Steelman
08-1209-1	State v Rinehart (Criminal) <b>Decision:</b> Dismissed	Forsyth	Bryant
08-892-1	Malloy v Cooper (Civil) <b>Decision:</b> Affirmed	Granville	McGee
08-421-1	State v Lilly (Criminal) <b>Decision:</b> No error	Guilford	Geer
08-564-1	State v Jacobs (Criminal) <b>Decision:</b> No prejudicial error	Guilford	Bryant
08-420-1	DOT v Haywood Oil Company (Civil) <b>Decision:</b> No error	Haywood	Bryant
08-979-1	Robinson v Trantham (Civil) <b>Decision:</b> Affirmed	Henderson	Bryant
08-434-1	Town of Pinebluff v Marts (Civil) <b>Decision:</b> Affirmed	Moore	Geer
08-847-1	State v Maynard (Criminal) <b>Decision:</b> No error	Nash	Steelman



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08-1137-1	State v Vincent (Criminal) <b>Decision:</b> No error	Northampton	Bryant
08-733-1	Trophy Tracks, Inc. v Massachusetts Bay (Civil) <b>Decision:</b> Reversed and remanded	Pitt	Hunter, Jr.
08-917-1	McNeely v McNeely (Civil) <b>Decision:</b> Affirmed	Transylvania	Hunter, Jr.
07-141-2	Crawford, et al v Mintz, et al (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Wake	McGee
08-313-1	Boyce & Isley, PLLC v Cooper (Civil) <b>Decision:</b> Affirmed in part; reversed in part	Wake	Hunter
08-714-1	State v Smart (Criminal) <b>Decision:</b> No Error	Wake	Elmore
08-719-1	Simms v Simms (Civil) <b>Decision:</b> Remanded	Wake	Wynn, Jr.



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08-369-1	McKoy v Beasley (Civil) <b>Decision:</b> Affirmed	Bladen 07CVS259	Elmore
08-507-1	State v McSwain (Criminal) <b>Decision:</b> No error	Cleveland 06CRS54050	Wynn, Jr.
08-1136-1	West Durham Lumber v SunTrust Bank (Civil) <b>Decision:</b> Affirmed	Durham 06CVS5872	Bryant
08-580-1	State v Battle (Criminal) <b>Decision:</b> Affirmed	Edgecombe 07CRS6709,07CRS6708	Wynn, Jr.
08-914-1	State v Blackburn (Criminal) <b>Decision:</b> No error	Forsyth 07CRS22502,07CRS54014	Stephens
08-843-1	State v Sadler (Criminal) <b>Decision:</b> No error	Gaston 06CRS50698,06CRS50697	Martin
08-935-1	In The Matter Of: N.W. (Criminal) <b>Decision:</b> Remanded for further proceedings consistent with this opinion	Guilford 95JB123	Martin
08-628-1	State v Cook (Criminal) <b>Decision:</b> No error	Haywood 06CRS994,06CRS589	Beasley
08-1102-1	Livesay, et al v Carolina First, et al (Civil) <b>Decision:</b> Affirmed	Henderson 05CVS2081	Stephens
08-1376-1	In The Matter Of: A.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Iredell 05JT01	Calabria
08-684-1	Eason v Cleveland Draft House, LLC (Civil) <b>Decision:</b> Affirmed	Johnston 07CVS3002	Calabria
08-774-1	In the Matter of: M.S. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Mecklenburg 07J123	McGee
08-851-1	In The Matter Of: J.C. (Juvenile - Criminal) <b>Decision:</b> Vacated and remanded	Mecklenburg 06J1185	Steelman
08-912-1	Atkins v Black & Decker (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC339500	Wynn, Jr.
08-524-1	State v Ward (Criminal) <b>Decision:</b> No error	New Hanover 05CRS52472	Ervin, IV
08-788-1	State v Richardson (Criminal) <b>Decision:</b> No error	Orange 06CRS53466,06CRS53469,0- 6CRS53467,06CRS53465,06- CRS53468	Elmore



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08-1289-1	In The Matter Of: C.E.J., Jr. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Pitt 03JT132	Calabria
08-1321-1	In The Matter Of: T.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Pitt 01JT116	Hunter
08-594-1	Williams v Bird (Civil) <b>Decision:</b> Affirmed	Rowan 07CVS1364	Stephens
08-902-1	Shew v Wal-Mart Stores East, L.P. (Civil) <b>Decision:</b> Affirmed	Rowan 07CVS2363	Stephens
08-656-1	State v Pone (Criminal) <b>Decision:</b> No error	Sampson 07CRS52036	Martin
08-403-1	Smith v Beck (Civil) <b>Decision:</b> Affirmed	Scotland 05CVS509	Geer
08-407-1	State v Land (Criminal) <b>Decision:</b> No error	Wake 05CRS11317,05CRS11316	Ervin, IV
08-608-1	Follum v NC State University (Civil) <b>Decision:</b> Affirmed	Wake 07CVS16476	Stephens
08-1122-1	In The Matter Of: B.W.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wake 06JT659	Hunter
08-706-1	State v Hollars (Civil) <b>Decision:</b> Affirmed	Watauga 03CR52358,03CR52359,03C- R52357	Calabria
08-639-1	State v Rowe (Criminal) <b>Decision:</b> No prejudicial error	Wayne 07CRS51225	Wynn, Jr.