

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 7 APRIL 2009)**  
**(MANDATE 27 APRIL 2009)**

Docket #	Title	County	Judge
08-966-1	Griffith v NC Dept. of Correction (Civil) <b>Decision:</b> Reversed and remanded	Anson	Jackson
08-324-1	Sunset Beach Development v Amec Inc. (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Brunswick	McGee
08-981-1	Connette v Jones (Civil) <b>Decision:</b> Reversed and remanded	Brunswick	McGee
08-651-1	Sharyn's Jewelers v IPayment, et al (Civil) <b>Decision:</b> Affirmed in part; Vacated in part	Carteret	Wynn, Jr.
08-864-1	Blanton v Isenhower (Civil) <b>Decision:</b> Affirmed	Catawba	Bryant
08-846-1	State v Long (Criminal) <b>Decision:</b> New trial	Craven	Stroud
08-1353-1	In The Matter Of: K..L. (Juvenile - 3.1) <b>Decision:</b> Vacated	Davidson	Geer
08-745-1	Scott & Jones, Inc. v Carlton Insurance (Civil) <b>Decision:</b> Affirmed	Duplin	Stroud
08-344-1	State v Dean (Criminal) <b>Decision:</b> No error	Durham	Stephens
08-80-1	Perry v GRP Financial Services (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Forsyth	Geer
08-790-1	State v Castaneda (Criminal) <b>Decision:</b> New trial	Forsyth	McGee
08-962-1	State v Bryant (Criminal) <b>Decision:</b> No error	Forsyth	Steelman
08-604-1	State v Johnson (Criminal) <b>Decision:</b> No error	Guilford	Bryant
08-654-1	Hammer Publications v The Knights Party (Civil) <b>Decision:</b> Dismissed	Guilford	Stroud
08-871-1	State v Rush (Criminal) <b>Decision:</b> No error in part; remanded in part	Guilford	Hunter, Jr.
08-1270-1	Pigg v Massagee (Civil) <b>Decision:</b> Dismissed; Remanded for hearing on sanctions	Henderson	Per Curiam

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08-551-1	State v Rooks (Criminal) <b>Decision:</b> Reversed and remanded	Hoke	Calabria
08-1010-1	North Iredell Neighbors v Iredell Co. (Civil) <b>Decision:</b> Affirmed	Iredell	Hunter, Jr.
08-1068-1	North Iredell Neighbors v Iredell Co. (Civil) <b>Decision:</b> Affirmed in part; reversed in part; and remanded	Iredell	Hunter, Jr.
08-690-1	State v Neal (Criminal) <b>Decision:</b> New trial	Johnston	McGee
08-1012-1	Ford v Paddock (Civil) <b>Decision:</b> Affirmed	Johnston	Steelman
08-609-1	Carolina Photography, Inc. v Hinton (Civil) <b>Decision:</b> Reversed	Lincoln	Wynn, Jr.
08-147-1	City of Charlotte v BMJ of Charlotte (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stroud
08-253-1	Kranz v Hendrick Automotive Group (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Elmore
08-347-1	Hodgin v Brighton (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Steelman
08-489-1	State v Ryder (Criminal) <b>Decision:</b> New trial in part; no error in part	Mecklenburg	Geer
08-1065-1	Hejl v Hood Hargett & Associates, Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	McGee
08-937-1	Biggerstaff v Petsmart, Inc. (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	N.C. Industrial Commission	Bryant
08-1034-1	Munns v Precision Franchising, Inc. (Civil) <b>Decision:</b> Remanded	N.C. Industrial Commission	Steelman
08-499-1	In the Matter of: J.D.B. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Orange	Martin
08-970-1	In The Matter Of: S.M.S. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Pitt	Hunter, Jr.
08-1002-1	Gibson v Ussery (Civil) <b>Decision:</b> Affirmed	Richmond	Elmore
08-659-1	State v Best (Criminal) <b>Decision:</b> Reversed in part and remanded for resentencing; vacated in part	Sampson	Wynn, Jr.
08-239-1	Quesinberry v Quesinberry (Civil) <b>Decision:</b> Affirmed in part; vacated and remanded in part	Surry	Geer

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06-1587-2	Mangum, et al v Raleigh BOA (Civil) <b>Decision:</b> Reversed and Remanded	Wake	McGee
08-352-1	Jailall v NC Dept. of Public (Civil) <b>Decision:</b> Affirmed	Wake	Geer
08-432-1	Cashwell v Dept. of State Treasurer (Civil) <b>Decision:</b> Affirmed	Wake	Calabria
08-543-1	Brind'Amour v Brind'Amour (Civil) <b>Decision:</b> Affirmed	Wake	Bryant

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08-38-1	State v Wolfe (Criminal) <b>Decision:</b> Dismissed in part, No error in part	Alamance 06CRS54790	Ervin, IV
08-1427-1	In The Matter Of: J.M.W. and R.M.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alamance 07JT39-40	Elmore
08-427-1	State v Miller (Criminal) <b>Decision:</b> No error	Bladen 07CRS50849 07CRS50840	Hunter
08-368-1	State v Bevill (Criminal) <b>Decision:</b> No error	Brunswick 06CRS52675-76	Stroud
08-705-1	State v Bethea (Criminal) <b>Decision:</b> Dismissed in part; no error in part	Buncombe 06CRS62556-57	Bryant
08-895-1	State v Chafin (Criminal) <b>Decision:</b> Affirmed	Burke 03CRS0502-04	Hunter
08-638-1	In The Matter Of: Estate of McIntosh (Civil) <b>Decision:</b> Reversed and remanded in part; affirmed in part	Carteret 04E622	Ervin, IV
08-963-1	Norton v Goods (Civil) <b>Decision:</b> Affirmed	Caswell 07CVD405	Martin
08-1015-1	State v Bettie (Criminal) <b>Decision:</b> No error	Clay 07CRS50178 07CRS50183 07CRS130	Hunter, Jr.
08-780-1	State v Reardon (Criminal) <b>Decision:</b> No error	Cleveland 05CRS53222 05CRS53248	Hunter
08-874-1	State v Hatten (Criminal) <b>Decision:</b> No error	Cleveland 06CRS54629-30	Hunter
08-1487-1	In Re: G.V., C.A., Z.H. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Currituck 06J6-8	Geer
08-669-1	On Trading Corp. v NC Insurance (Civil) <b>Decision:</b> Affirmed	Dare 05CVS495	Calabria
08-528-1	In the Matter of: K.H. (Juvenile - Criminal) <b>Decision:</b> No prejudicial error	Durham 06J336	Ervin, IV
08-793-1	Parata Systems, LLC v Navajo Health (Civil) <b>Decision:</b> Affirmed	Durham 06CVS4330	Calabria
08-971-1	State v Gaddy (Criminal) <b>Decision:</b> No error	Durham 06CRS55811	Stephens

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08-868-1	State v Washington (Criminal) <b>Decision:</b> Affirmed in part; Reversed and Remanded in part	Forsyth 05CRS53900 02CRS60317	Ervin, IV
08-1243-1	Tatum v The Skin Surgery Center P.A. (Civil) <b>Decision:</b> Affirmed	Forsyth 07CVS4457	Bryant
08-637-1	State v Jordan (Criminal) <b>Decision:</b> No error in part, Reversed in part and remanded	Guilford 06CRS86874 06CRS86877 06CRS86872	Stephens
08-926-1	State v Platt (Criminal) <b>Decision:</b> No error	Guilford 07CRS24112-13 06CRS102408	Hunter
08-968-1	In the Matter of: M.A.M. (Juvenile - Criminal) <b>Decision:</b> Reversed and remanded	Guilford 05JB664	Hunter
08-1168-1	State v Canady (Criminal) <b>Decision:</b> No error	Guilford 07CRS80039	Jackson
08-544-1	State v Bailey (Criminal) <b>Decision:</b> No error	Harnett 07CRS51340-41 06CRS57771	Hunter
08-1296-1	Garland v BB&T, et al (Civil) <b>Decision:</b> Dismissed	Harnett 07CVS855	Jackson
08-1439-1	In Re: A.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 08J14	Steelman
08-385-1	Hoots v Hoots (Civil) <b>Decision:</b> Vacated and remanded	Henderson 04CVD860	Geer
08-810-1	State v Angram (Criminal) <b>Decision:</b> No error	Henderson 07CRS1990-91	Jackson
08-848-1	State v Sweat (Criminal) <b>Decision:</b> Reversed	Lee 07CRS5185 07CRS50743	Hunter
08-497-1	State v Ubeda (Criminal) <b>Decision:</b> No error	Mecklenburg 06CRS238984-85	Elmore
08-636-1	State v Byrd (Criminal) <b>Decision:</b> No error	Mecklenburg 06CRS206153	Hunter
08-744-1	State v Orr (Criminal) <b>Decision:</b> Reversed and remanded	Mecklenburg 06CRS250541	Hunter
08-763-1	Smith v Adams (Civil) <b>Decision:</b> Affirmed	Mecklenburg 04CVS21571	Wynn, Jr.

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08-768-1	In The Matter Of: M.B. (Juvenile - Criminal) <b>Decision:</b> Affirmed in part, reversed in part, remanded for resentencing	Mecklenburg 07JB650	Calabria
08-891-1	State v Burroughs (Criminal) <b>Decision:</b> Reversed and remanded	Mecklenburg 05CRS224248	Wynn, Jr.
08-893-1	In The Matter Of: W.W. (Juvenile - Criminal) <b>Decision:</b> Vacated	Mecklenburg 08J08	Jackson
08-974-1	Cadlerock, L.L.C. v Carolina Coolers (Civil) <b>Decision:</b> Dismissed	Mecklenburg 06CVS14158	Jackson
08-975-1	CadleRock, L.L.C. v Carolina Coolers (Civil) <b>Decision:</b> Dismissed	Mecklenburg 06CVS14157	Jackson
08-1125-1	State v McFadden (Criminal) <b>Decision:</b> Affirmed	Mecklenburg 98CRS10267	Jackson
08-353-1	Saavedra v Candor Hosiery Mills (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC520594	Geer
08-415-1	Goodson v Mafco Holdings, Inc., et al (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	N.C. Industrial Commission IC177963	Geer
08-579-1	Holt v Pete Wall Plumbing (Civil) <b>Decision:</b> remanded	N.C. Industrial Commission IC024253	Elmore
08-716-1	Pulley v City of Wilson (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC517718 IC517717	Martin
08-804-1	Womble v G & D Transportation, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC528358 IC456073	Stroud
08-1099-1	Raper v Mansfield Systems, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC377149	Hunter, Jr.
08-469-1	State v McNair (Criminal) <b>Decision:</b> No error in part; New trial in part	Nash 07CRS6513 07CRS53410	Stroud
08-861-1	Eleen v Heil (Civil) <b>Decision:</b> No error	Onslow 05CVS2544	McGee
08-1339-1	In The Matter Of: J.C., D.C., K.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Onslow 07JA332-34	Steelman
08-671-1	Johann v Johann (Civil) <b>Decision:</b> Reversed and remanded	Orange 06CVD1204	Ervin, IV
08-838-1	State v McMurrin (Criminal) <b>Decision:</b> Affirmed	Pasquotank 07CRS3405	Hunter

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08-1113-1	In The Matter Of: D.L.M., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed	Pasquotank 07JT67-72	Elmore
08-741-1	Lynn-Cliff, Inc. v Poole (Civil) <b>Decision:</b> Reversed	Pender 04CVD772	Martin
08-984-1	State v Cotton (Criminal) <b>Decision:</b> No error	Rowan 05CRS57681-83	McGee
08-922-1	Gentry v Big Creek Underground (Civil) <b>Decision:</b> Affirmed	Surry 07CVS356	Beasley
08-699-1	Machinery Transport, Inc., v Beatty (Civil) <b>Decision:</b> Affirmed	Wake 07CVS5988	Hunter
08-742-1	State v Morgan (Criminal) <b>Decision:</b> No error	Wake 06CRS79763	Elmore
08-875-1	State v Williams (Criminal) <b>Decision:</b> No error	Wake 07CRS37638-39	Jackson
08-976-1	Proctor v Local Government Employees' (Civil) <b>Decision:</b> Affirmed	Wake 07CVS11806	Beasley