

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 21 APRIL 2009)**  
**(MANDATE 11 MAY 2009)**

Docket #	Title	County	Judge
08-1090-1	State v Thacker (Criminal) <b>Decision:</b> No error	Alamance	Martin
08-811-1	Lail v Bowman Gray School of Medicine (Civil) <b>Decision:</b> Affirmed	Catawba	Stroud
08-640-1	Azalea Garden Board & Care v Vanhoy (Civil) <b>Decision:</b> Affirmed	Davidson	Hunter
08-940-1	State v Lamond (Criminal) <b>Decision:</b> No error as to trial, judgment vacated and remanded for a new sentencing hearing	Durham	Steelman
08-1199-1	State v Osorio (Criminal) <b>Decision:</b> No error	Forsyth	Steelman
08-1300-1	State v Corbett (Criminal) <b>Decision:</b> No error	Forsyth	Steelman
08-1297-1	Kaplan v O.K. Technologies, et al (Civil) <b>Decision:</b> Affirmed	Guilford	Stephens
08-907-1	Parker v Hyatt (Civil) <b>Decision:</b> Reversed and remanded	Macon	Hunter
08-732-1	Gaskin v J.S. Proctor Company, LLC (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stroud
08-589-1	State v Fuller (Criminal) <b>Decision:</b> No error in part; reversed and remanded for resentencing in part	Onslow	Geer
08-558-1	State v Bunch (Criminal) <b>Decision:</b> No prejudicial error	Pasquotank	Jackson
08-386-1	Brunson v Tatum (Civil) <b>Decision:</b> Affirmed	Sampson	Geer
08-1310-1	State v Wells (Criminal) <b>Decision:</b> No error as to judgments for attempted murder and three counts of habitual felon status. Vacated and remanded as to conviction for assault with a deadly weapon with intent to kill inflicting serious injury.	Sampson	Steelman
08-561-1	In The Matter Of: NC IDEA (Civil) <b>Decision:</b> Reversed and remanded	Wake	Ervin, IV
08-1206-1	NC Farm Bureau v Morgan, et al (Civil) <b>Decision:</b> Affirmed	Wake	Bryant

Docket #	Title	County	Judge
08-1169-1	State v McNeil (Criminal) <b>Decision:</b> No error	Wilson	Stephens

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08-1006-1	State v Woods (Criminal) <b>Decision:</b> No error	Alamance 07CRS15379 07CRS53734	Beasley
08-850-1	State v Davidson (Criminal) <b>Decision:</b> No error	Buncombe 07CRS51430 07CRS412 07CRS51429	Hunter
08-865-1	State v Robinson (Criminal) <b>Decision:</b> No error in part, remanded in part	Carteret 07CRS54447 07CRS5491	Calabria
08-1117-1	Garner v Smith (Civil) <b>Decision:</b> Affirmed	Carteret 07CVS415	Bryant
08-822-1	Jackson v Daniels (Civil) <b>Decision:</b> affirmed	Craven 07CVS191	Stephens
08-956-1	State v Murphy (Criminal) <b>Decision:</b> No error	Davidson 06CRS53737	Hunter
08-767-1	State v Hairston (Criminal) <b>Decision:</b> No error	Forsyth 06CRS60791 07CRS3079 06CRS60789	Jackson
08-1302-1	State v McDuffie (Criminal) <b>Decision:</b> No error	Forsyth 06CRS59274 07CRS54655 06CRS29686	Steelman
08-921-1	State v Shive (Criminal) <b>Decision:</b> No error	Gaston 07CRS10593 07CRS10588 07CRS57056 07CRS10591 07CRS10594 07CRS10589 07CRS57058 07CRS10592 07CRS10585 07CRS57055 07CRS10590	Hunter
08-1301-1	State v George (Criminal) <b>Decision:</b> No error	Guilford 05CRS89242 05CRS89244 05CRS24686	Steelman
08-692-1	Williams v Williams (Civil) <b>Decision:</b> Affirmed in part and remanded in part	Iredell 04CVD3190	Ervin, IV
08-949-1	State v Underwood (Criminal) <b>Decision:</b> No error	Jackson 07CRS51106 07CRS51110 07CRS51107 07CRS51104 07CRS51108	Steelman
08-853-1	State v Bakri (Criminal) <b>Decision:</b> No error	Johnston 04CRS51162 06CRS8030 04CRS6069	Hunter
08-581-1	State v Ware (Criminal)	Mecklenburg 07CRS66789	Geer

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	<b>Decision:</b> No error		
08-634-1	Gabice v Harbor (Civil)	Mecklenburg 02CVD20064	Hunter
	<b>Decision:</b> Dismissed		
08-645-1	State v Blood (Criminal)	Mecklenburg 06CRS239139	Hunter
	<b>Decision:</b> No error		
08-990-1	State v Johnson (Criminal)	Mecklenburg 06CRS258590	Hunter
	<b>Decision:</b> No error		
08-1311-1	State v Flowe (Criminal)	Mecklenburg 07CRS50489 07CRS227049	Steelman
	<b>Decision:</b> No prejudicial error		
08-1096-1	State v Barnes (Criminal)	Moore 07CRS50500	Steelman
	<b>Decision:</b> No error		
08-615-1	Crawford v Phillips (Civil)	N.C. Industrial Commission PH1327 IC504754	Elmore
	<b>Decision:</b> Affirmed in part, reversed and remanded in part		
08-920-1	Berardi v Craven Co. School District (Civil)	N.C. Industrial Commission IC385656	Martin
	<b>Decision:</b> Affirmed		
08-955-1	Pait v Southeastern Regional (Civil)	N.C. Industrial Commission IC426774	Ervin, IV
	<b>Decision:</b> Dismissed		
08-1175-1	State v Lynch (Criminal)	Nash 01CRS51601 01CRS51600	Steelman
	<b>Decision:</b> Affirmed and remanded for correction of clerical error		
08-805-1	Cascadden v Household Realty Corp. (Civil)	Onslow 08CVS1000	Calabria
	<b>Decision:</b> Affirmed		
08-931-1	State v Warran (Criminal)	Perquimans 05CRS50590 05CRS50589	Hunter
	<b>Decision:</b> No error; remanded for correction of judgment		
08-1232-1	In Re: J.R.B. and N.B.B. (Juvenile - 3.1)	Robeson 07JT0303-04	Elmore
	<b>Decision:</b> Vacated and remanded for additional findings of fact and conclusions of law		
08-1201-1	State v Kingston (Criminal)	Rockingham 07CRS46 06CRS51545	Steelman
	<b>Decision:</b> No error		
08-760-1	State v Amick (Criminal)	Wake 07CRS4134 07CRS4133	Hunter
	<b>Decision:</b> No error		
08-889-1	State v Walston (Criminal)	Wake 07CRS30442	Hunter
	<b>Decision:</b> No error		
08-1031-1	State v Smith (Criminal)	Wayne 07CRS55293	Steelman
	<b>Decision:</b> No error		

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08-1431-1	In The Matter Of: D.J.D. and O.D.D. (Juvenile - 3.1)	Wayne 00JT0202 00JT0201	Elmore
	<b>Decision:</b> Affirmed		