

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 19 MAY 2009)**  
**(MANDATE 8 JUNE 2009)**

Docket #	Title	County	Judge
08-1287-1	State v Douglas (Criminal) <b>Decision:</b> New trial	Cabarrus	Bryant
08-942-1	Hamby v Profile Products, LLC (Civil) <b>Decision:</b> Affirmed	Caldwell	Wynn, Jr.
08-985-1	State v Popp (Criminal) <b>Decision:</b> Vacated and remanded	Craven	Calabria
08-633-1	State v Palmer (Criminal) <b>Decision:</b> Remanded	Davidson	Martin
08-782-1	State v Wilson (Criminal) <b>Decision:</b> No error	Guilford	McGee
08-1074-1	Henson v Green Tree Servicing, LLC (Civil) <b>Decision:</b> Affirmed	Henderson	Hunter
08-652-1	State v Fowler (Criminal) <b>Decision:</b> Reversed and remanded	Mecklenburg	Martin
08-1195-1	State v Swann (Criminal) <b>Decision:</b> Affirmed in part, order of restitution vacated and matter remanded for a new hearing on restitution	Mecklenburg	Steelman
08-802-1	Holloway v N.C. Dept. of Crime Control (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Jackson
08-943-1	Silva v Lowe's Home Improvement (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Martin
08-650-1	State v Miller (Criminal) <b>Decision:</b> No error	New Hanover	Hunter
08-773-1	State v Allen (Criminal) <b>Decision:</b> Affirmed	Person	Calabria
08-795-1	Scotland County Schools v Locklear (Civil) <b>Decision:</b> Affirmed in part, Vacated and remanded in part	Scotland	Steelman
08-170-1	Dalenko v Peden General Contractors (Civil) <b>Decision:</b> Affirmed	Wake	Per Curiam
08-450-1	Wal-Mart Stores East, Inc. v Hinton (Civil) <b>Decision:</b> Affirmed	Wake	Stroud
08-453-1	Sam's East, Inc. v Hinton (Civil) <b>Decision:</b> Affirmed	Wake	Stroud

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08-785-1	Franco v Liposcience, Inc. (Civil) <b>Decision:</b> Affirmed	Wake	Wynn, Jr.
08-812-1	State v Seneca-Cayuga Tobacco Company (Civil) <b>Decision:</b> Affirmed	Wake	Ervin, IV
08-863-1	State v Gayton-Barbossa (Criminal) <b>Decision:</b> No error in part, vacate in part, and remand for resentencing	Wake	Hunter

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Docket #	Title	County	Judge
08-1032-1	State v Giddings (Criminal)	Buncombe 08CRS263-69 08CRS274-75 08CRS53124 08CRS53126-27 08CRS53130 08CRS53426-29 08CRS53535-41	Hunter, Jr.
	<b>Decision:</b> Affirmed and remanded for correction of a clerical error		
08-1375-1	State v Reynolds (Criminal)	Buncombe 07CRS64400	Steelman
	<b>Decision:</b> No error		
08-1489-1	In The Matter Of: C.A.G. (Juvenile - 3.1)	Burke 07J154	Stephens
	<b>Decision:</b> The order terminating respondent's parental rights to CAG is affirmed. Petitioner's motions for sanctions are allowed		
08-1295-1	State v Fuller (Criminal)	Carteret 07CRS5075 07CRS54334	Hunter
	<b>Decision:</b> No error		
08-1279-1	State v Owens (Criminal)	Cherokee 07CRS51060	Wynn, Jr.
	<b>Decision:</b> No error		
08-886-1	State v Brooks (Criminal)	Cleveland 06CRS5934 06CRS54383 07CRS1186	Hunter
	<b>Decision:</b> No error		
08-1272-1	State v Wilcox (Criminal)	Craven 06CRS7285	Hunter
	<b>Decision:</b> Affirmed		
08-1486-1	First-Citizens Bank v Darwin Medical (Civil)	Cumberland 07CVS3421	Wynn, Jr.
	<b>Decision:</b> Reversed and remanded		
08-700-1	Vigus v Milton A. Latta & Sons (Civil)	Durham 06CVS59	Hunter
	<b>Decision:</b> Affirmed		
08-958-1	Fletcher v Bowser (Civil)	Forsyth 07CVS20	McGee
	<b>Decision:</b> Affirmed		
08-1241-1	State v Watson (Criminal)	Forsyth 07CRS5940 07CRS54170	Hunter
	<b>Decision:</b> No error		
08-965-1	State v Walker (Criminal)	Gaston 04CRS26148-50 04CRS26153	Hunter
	<b>Decision:</b> Affirmed		
08-1130-1	State v Dunston (Criminal)	Granville 07CRS52581-84	Steelman
	<b>Decision:</b> Dismissed		
08-404-1	Roberts v Roberts (Civil)	Guilford 02CVS10553	Jackson
	<b>Decision:</b> Affirmed		
08-972-1	Southeast Land Co. v Liberty Mutual (Civil)	Guilford 07CVS4277	Geer

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	<b>Decision:</b> Dismissed		
08-1093-1	Johnson v Wright (Civil)	Guilford 07CVD9141	Steelman
	<b>Decision:</b> Dismissed		
08-1097-1	State v Clifton (Criminal)	Guilford 07CRS24236 07CRS24355-61	Hunter
	<b>Decision:</b> No error		
08-681-1	State v Ewart (Criminal)	Haywood 07CRS50804	Geer
	<b>Decision:</b> No error		
08-998-1	Mooney v Mooney (Civil)	Henderson 03CVD1581	Martin
	<b>Decision:</b> Affirmed		
08-1228-1	State v Williams (Criminal)	Hoke 06CRS1852 06CRS1854	Hunter
	<b>Decision:</b> Affirmed		
08-1244-1	State v Spruiell (Criminal)	Lee 05CRS54493 05CRS54506 08CRS261	McGee
	<b>Decision:</b> No error		
08-777-1	State v Koonce (Criminal)	Lenoir 07CRS1465 05CRS55260	Ervin, IV
	<b>Decision:</b> Dismissed		
08-840-1	State v Keaton (Criminal)	Mecklenburg 05CRS44817-18 05CRS213280	Jackson
	<b>Decision:</b> No prejudicial error		
08-1293-1	State v Estrada (Criminal)	Mecklenburg 07CRS216124	Steelman
	<b>Decision:</b> No error		
08-1319-1	State v Walker (Criminal)	Mecklenburg 07CRS232736-38 07CRS232740 07CRS232741	Steelman
	<b>Decision:</b> No error		
08-1226-1	Masood v Erwin Oil Company (Civil)	N.C. Industrial Commission IC013942	Steelman
	<b>Decision:</b> Reversed and remanded		
08-995-1	The North Carolina State Bar v McGee (Civil)	N.C. State Bar 04DHC21	Per Curiam
	<b>Decision:</b> Affirmed		
08-1240-1	In The Matter Of: T.T.P. (Juvenile - Criminal)	New Hanover 05J197	Hunter
	<b>Decision:</b> Affirmed		
08-1416-1	State v Willoughby (Criminal)	Onslow 07CRS50238-39	Steelman
	<b>Decision:</b> No error		
08-696-1	Frink, et al v Batten, et al (Civil)	Robeson 05CVS1806	Elmore
	<b>Decision:</b> Affirmed in part; reversed in part		
08-1202-1	State v Haskins (Criminal)	Rowan 05CRS59770	Hunter

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	<b>Decision:</b> No error		
08-999-1	State v Polk (Criminal)	Union 06CRS10636 06CRS53259 06CRS53271	Hunter
	<b>Decision:</b> No error		
08-781-1	State v Burgess (Criminal)	Wake 07CRS60845	Martin
	<b>Decision:</b> No error		
08-844-1	Dalenko v Monroe (Civil)	Wake 07CVS1640	Hunter, Jr.
	<b>Decision:</b> Affirmed		
08-858-1	Harmon v Frangis (Civil)	Wake 05CVS14228	Elmore
	<b>Decision:</b> Affirmed		
08-1369-1	Williams v Kane (Civil)	Wake 07CVS18602	Bryant
	<b>Decision:</b> Affirmed in part, dismissed in part		