

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

Docket #	Title	County	Judge
08-1172-1	Fairway Outdoor Advertising v Edwards (Civil) <b>Decision:</b> Affirmed	Cabarrus	Stroud
09-44-1	State v Cloer (Criminal) <b>Decision:</b> Dismissed	Caldwell	Ervin, IV
08-1432-1	State, Ex. Rel. v Eason (Civil) <b>Decision:</b> Affirmed	Camden	Martin
08-1551-1	In The Matter Of: C.M. and M.H.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed and remanded	Cumberland	Hunter, Jr.
08-961-1	State v Streater (Criminal) <b>Decision:</b> No error in part; new trial in part; and remanded for resentencing	Davidson	Hunter, Jr.
08-1314-1	State v Hubbard (Criminal) <b>Decision:</b> Affirmed	Forsyth	Stephens
08-1318-1	State v Davis (Criminal) <b>Decision:</b> No error in part; Dismissed in part	Gaston	Jackson
08-1410-1	Yurek v Shaffer (Civil) <b>Decision:</b> Affirmed	Granville	Martin
08-1251-1	Lang v Lang (Civil) <b>Decision:</b> Affirmed	Guilford	Stroud
08-1556-1	Woods v Moses Cone Health System (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Guilford	McGee
08-1027-1	Leggett v AAA Cooper Transportation (Civil) <b>Decision:</b> Affirmed	Halifax	Stephens
08-1405-1	State v Davis (Criminal) <b>Decision:</b> No Error	Halifax	Elmore
08-1329-1	State v Ray (Criminal) <b>Decision:</b> Reversed and remanded for new trial	Hoke	Beasley
08-1042-1	State v Rivens (Criminal) <b>Decision:</b> No Error	Mecklenburg	Jackson
08-1180-1	State v Black (Criminal) <b>Decision:</b> No error	Mecklenburg	Stroud
08-1445-1	Carolina Forest Assoc. v White (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV Stroud(d)

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08-1497-1	State v Porter (Criminal) <b>Decision:</b> No Error	Mecklenburg	Steelman
08-1185-1	State v Yarborough (Criminal) <b>Decision:</b> Reversed in part, no error in part	Nash	Beasley
08-1352-1	Rowell v Bowling (Civil) <b>Decision:</b> Affirmed	New Hanover	Hunter, Jr. Jackson(d)
08-896-1	Town of Oriental v Henry (Civil) <b>Decision:</b> Reversed and Remanded	Pamlico	Stephens
08-1286-1	Smart v State of NC (Civil) <b>Decision:</b> Affirmed	Pasquotank	Stroud
08-602-1	State v Madures (Criminal) <b>Decision:</b> No error in part; Dismissed in part	Rowan	Jackson
08-1530-1	State v Miller (Criminal) <b>Decision:</b> No Error	Rutherford	Jackson
08-1239-1	State v Lark (Criminal) <b>Decision:</b> No error; remanded for correction of clerical errors	Stokes	McGee
09-213-1	In The Matter Of: J.V. and M.V. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded for additional findings	Stokes	Ervin, IV
08-898-1	NC Farm Bureau v Simpson (Civil) <b>Decision:</b> Reversed and remanded	Wake	Steelman
08-992-1	Granger v University of NC (Civil) <b>Decision:</b> Affirmed	Wake	McGee
08-1127-1	Martini v Companion Property (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Wake	Elmore Steelman(c)(d)
09-136-1	State v McLeod (Criminal) <b>Decision:</b> Affirmed in part and remanded for new trial	Wake	Bryant
09-143-1	In The Matter Of: T.P., M.P., K.P. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Warren	Beasley
09-102-1	State v McClary (Criminal) <b>Decision:</b> No Error	Wayne	Steelman
08-1523-1	State v Anderson (Criminal) <b>Decision:</b> No Error	Wilkes	McGee
08-1208-1	FMB, Inc. v Creech, et al (Civil) <b>Decision:</b> Dismissed	Wilson	Steelman
09-320-1	In The Matter of: D.B.J. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Yadkin	Beasley

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Docket #	Title	County	Judge
09-200-1	State v Graves (Criminal) <b>Decision:</b> No error in part; restitution order vacated and remanded for resentencing on the issue of restitution; remanded for correction of judgment	Alamance 06CRS55350	Martin
09-266-1	State v Richardson (Criminal) <b>Decision:</b> Affirmed	Alleghany 07CRS50123 07CRS50124	Martin
08-1571-1	State v Patterson (Criminal) <b>Decision:</b> No Error	Anson 05CRS51676 05CRS51679	Bryant
08-911-1	Seagle v Cross (Civil) <b>Decision:</b> Affirmed	Buncombe 07CVS2009	Ervin, IV
09-218-1	In The Matter Of: N.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 08JT217	Beasley
09-340-1	In The Matter Of: K.P.M., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 08JT0101 08JT0102 08JT0103	Hunter
08-1290-1	State v Tomlinson (Criminal) <b>Decision:</b> No Error	Burke 03CRS2068 03CRS2069 03CRS5088	Elmore
08-1330-1	State v Rhinehardt (Criminal) <b>Decision:</b> No Error	Cabarrus 07CRS52876	Bryant
08-1049-1	Siquar USA v Wang, et al (Civil) <b>Decision:</b> Affirmed	Catawba 07CVS4383	Calabria
08-1170-1	State v Biggs (Criminal) <b>Decision:</b> No Error	Chowan 05CRS50466 05CRS50467	Martin
09-14-1	State v Boswell (Criminal) <b>Decision:</b> No error in part, vacated in part as to 08CRS2524 and remanded for resentencing	Columbus 07CRS50109 08CRS2522 08CRS2523 08CRS2524	Martin
08-1388-1	State v Freeland (Criminal) <b>Decision:</b> No Error	Cumberland 06CRS56389	Bryant
08-1035-1	Grafton v Washington Mutual Bank (Civil) <b>Decision:</b> Affirmed	Durham 06CVS5277	Bryant
08-1095-1	State v Brown (Criminal) <b>Decision:</b> No error	Edgecombe 07CRS52812	Martin
08-1292-1	State v Vines (Criminal) <b>Decision:</b> Dismissed	Edgecombe 07CRS51898 07CRS51903	McGee

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08-1112-1	State v Hernandez (Criminal)	Forsyth 05CRS37287 05CRS63189 05CRS63190 05CRS63191 05CRS63193 05CRS63304 05CRS63306 08CRS3580	Elmore
	<b>Decision:</b> No Error		
08-1114-1	State v Laurel (Criminal)	Forsyth 07CRS53297	Jackson
	<b>Decision:</b> No Error		
08-1264-1	State v Young (Criminal)	Forsyth 06CRS30099 06CRS58869	Hunter
	<b>Decision:</b> No Error		
08-1437-1	Twin Tower Erection v Beatty (Civil)	Forsyth 07CVS2448	Hunter
	<b>Decision:</b> Affirmed		
08-1521-1	State v Brewington (Criminal)	Forsyth 07CRS51901	Bryant
	<b>Decision:</b> Affirmed		
09-78-1	State v Durham (Criminal)	Forsyth 07CRS58234	Elmore
	<b>Decision:</b> No error		
09-113-1	State v Gamble (Criminal)	Forsyth 05CRS64753	Martin
	<b>Decision:</b> No Error		
09-146-1	State v Johnson (Criminal)	Forsyth 07CRS13176 07CRS52511	Martin
	<b>Decision:</b> No error		
09-20-1	State v Jones (Criminal)	Gaston 05CRS57404	Bryant
	<b>Decision:</b> No Error		
09-103-1	State v McNair (Criminal)	Gaston 07CRS8234	Martin
	<b>Decision:</b> Dismissed		
08-1046-1	State v Graham (Criminal)	Guilford 06CRS96123	Hunter
	<b>Decision:</b> No error		
08-1484-1	State v McQueen (Criminal)	Guilford 07CRS98092	Martin
	<b>Decision:</b> No error		
08-1574-1	State v Smalls (Criminal)	Guilford 07CRS23163 07CRS23164	Elmore
	<b>Decision:</b> No error		
09-26-1	MacDonald v Bank of America Corp. (Civil)	Guilford 07CVS9274	McGee
	<b>Decision:</b> Affirmed		
09-66-1	State v Miller (Criminal)	Guilford 08CRS78489	Elmore
	<b>Decision:</b> Appeal dismissed; petition for Writ of Certiorari denied		
09-295-1	In The Matter Of: C.M.W. (Juvenile - 3.1)	Guilford 06JT427	Martin
	<b>Decision:</b> Affirmed		

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09-186-1	In Re: S.J.F.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 06J141	Martin
09-243-1	In Re: S.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 07J157	Hunter
09-244-1	In Re: I.H. and E.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 06J224 06J225	Ervin, IV
08-1568-1	State v Ferguson (Criminal) <b>Decision:</b> Dismissed	Haywood 06CRS054323 06CRS054326	Bryant
08-1570-1	State v Williams (Criminal) <b>Decision:</b> No error	Henderson 07CRS1985 07CRS1986	Elmore
09-134-1	In The Matter Of: Q.T.H. and W.L.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Iredell 05JT209 05JT210	Hunter, Jr.
09-405-1	In The Matter Of: K.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Johnston 08J190	Elmore
08-1067-1	Keal v Keal (Civil) <b>Decision:</b> Vacated and remanded	Mecklenburg 05CVD12700	McGee
08-1276-1	State v Moore (Criminal) <b>Decision:</b> No Error	Mecklenburg 05CRS206901	Elmore
08-1550-1	State v Dixon (Criminal) <b>Decision:</b> No Error	Mecklenburg 07CRS221179	Bryant
09-45-1	State v Jones (Criminal) <b>Decision:</b> No error	Mecklenburg 06CRS246080 06CRS246083 06CRS246084	Elmore
09-76-1	State v Turner (Criminal) <b>Decision:</b> No error	Mecklenburg 08CRS260100 08CRS26099 08CRS2610 08CRS26099 08CRS26100 08CRS46153 08CRS46155	Elmore
08-827-1	State v Christian (Criminal) <b>Decision:</b> No Error	Montgomery 03CRS50646 03CRS50647 03CRS50648	Wynn, Jr.
09-151-1	State v Justice (Criminal) <b>Decision:</b> No error	Moore 08CRS3765 08CRS50911	Martin
08-1077-1	Gesel v Miller Orthopaedic Clinic, Inc. (Civil) <b>Decision:</b> No Error	N.C. Industrial Commission IC263168	Elmore

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08-1148-1	Lassiter v Town of Selma (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC589062	Steelman
08-1281-1	Goodson v Affiliated Computer Services (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission IC668784	Stephens
08-1600-1	Ricks v Davis (Civil) <b>Decision:</b> Dismissed	Nash 08CVD179	Elmore
08-1050-1	State v Rose (Criminal) <b>Decision:</b> No error	New Hanover 06CRS10370 06CRS10371	Stroud
08-1341-1	Souther v Souther (Civil) <b>Decision:</b> Affirmed	New Hanover 07CVD1263	Elmore
08-855-1	La Costa Dev. v Town of North Topsail (Civil) <b>Decision:</b> Reversed	Onslow 07CVS4412	Elmore
08-1331-1	State v Dunn (Criminal) <b>Decision:</b> No Error	Onslow 07CRS51780	Elmore
09-91-1	State v Hansley (Criminal) <b>Decision:</b> Reversed and remanded	Pender 08CRS2080 08CRS2081 08CRS2082	Martin
09-258-1	In The Matter Of: F.A.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 06JA237	Elmore
07-296-2	Lawson v White, et al (Civil) <b>Decision:</b> Dismissed	Sampson 05CVS964	Stroud
09-233-1	In Re: S.D.B. (Juvenile - 3.1) <b>Decision:</b> Reversed	Stokes 06J100A	Hunter, Jr.
08-1370-1	State v Brown (Criminal) <b>Decision:</b> No prejudicial error	Surry 04CRS52862 07CRS2826	Bryant
08-1284-1	State v McNeil (Criminal) <b>Decision:</b> No error	Union 06CRS50297 06CRS13455	Elmore
08-1516-1	State v Ogburn (Criminal) <b>Decision:</b> No Error	Union 05CRS57656 07CRS7145 07CRS7146 07CRS7147 07CRS7148 07CRS7149 07CRS7150 07CRS7151	Bryant
09-117-1	In Re: C.M.R., L.C.R., B.G.R. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Union 07JT0206 07JT0207 07JT0208	Hunter, Jr.
08-1098-1	State v Cooper (Criminal)	Wake 05CRS73427 05CRS73428	Hunter

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	<b>Decision:</b> No prejudicial error		
08-1212-1	Bennett v News and Observer (Civil)	Wake 06CVS14229	Jackson
	<b>Decision:</b> Affirmed in part, reversed and remanded in part		
08-1266-1	Ford v Rodriguez (Civil)	Wake 05CVD16847	Stephens
	<b>Decision:</b> Affirmed		
08-1479-1	State v Johnson (Criminal)	Wake 05CRS19786 05CRS29472	Elmore
	<b>Decision:</b> No error		
08-1457-1	State v Basnight (Criminal)	Washington 08CRS50070	Martin
	<b>Decision:</b> No error		
08-1464-1	State v Traub (Criminal)	Watauga 06CRS52202	Bryant
	<b>Decision:</b> Affirmed		
08-1178-1	Sutton v Sutton (Civil)	Wayne 07CVS1886	Hunter, Jr.
	<b>Decision:</b> Affirmed		