

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 1 SEPTEMBER 2009)**  
**(MANDATE 21 SEPTEMBER 2009)**

Docket #	Title	County	Judge
06-1665-2	Ron Medlin Construction v Harris (Civil) <b>Decision:</b> Affirmed	Brunswick	Geer Jackson(d)
08-1071-1	Hewett v Brunswick County (Civil) <b>Decision:</b> Reversed and Remanded	Brunswick	Geer
08-1085-1	Asheville Sports v City of Asheville (Civil) <b>Decision:</b> Affirmed	Buncombe	Geer
09-400-1	In Re: B.O. (Juvenile - 3.1) <b>Decision:</b> Vacated	Buncombe	McGee
08-1453-1	Boundary Dispute v R.L. Wallace Const. (Civil) <b>Decision:</b> Affirmed	Cabarrus	Elmore
09-445-1	In The Matter Of: K.C. and C.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Currituck	Ervin, IV
08-859-1	Pressler v Duke University (Civil) <b>Decision:</b> Affirmed	Durham	Calabria
08-1069-1	Mitchell v Mitchell (now Norwich) (Civil) <b>Decision:</b> Affirmed	Durham	Stroud
08-1372-1	Morris v Southeastern Orthopedics (Civil) <b>Decision:</b> Reversed and Remanded	Durham	Stroud
08-1044-1	Brackney v Brackney (Civil) <b>Decision:</b> Affirmed	Forsyth	Geer
08-1174-1	Peach v City of High Point (Civil) <b>Decision:</b> Reversed and Remanded	Guilford	Hunter
08-1263-1	In The Matter Of: Bradburn (Civil) <b>Decision:</b> Remanded	Iredell	Jackson
08-1079-1	Jackson v Culbreth (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Hunter, Jr.
08-1111-1	State v Mohamud (Criminal) <b>Decision:</b> new trial	Mecklenburg	Bryant
08-1306-1	In The Matter Of: J.L. (Juvenile - Criminal) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Beasley
08-1424-1	Welch v Lumpkin (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Wynn, Jr.
08-897-1	Bauman v WoodLake Partners, LLC (Civil) <b>Decision:</b> Affirmed	Moore	Ervin, IV

Docket #	Title	County	Judge
08-1039-1	Sykes v Moss Trucking (Civil) <b>Decision:</b> Reversed	N.C. Industrial Commission	Elmore
08-1119-1	Clayton v Mini Data Forms, Inc. (Civil) <b>Decision:</b> Reversed and remanded in part; affirmed in part	N.C. Industrial Commission	Geer
08-1368-1	Evans v Conwood LLC, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Steelman
09-55-1	Nale v Ethan Allen (Civil) <b>Decision:</b> Reversed in part, Remanded for additional findings of fact in part	N.C. Industrial Commission	Steelman
09-62-1	State v Melvin (Criminal) <b>Decision:</b> new trial	Onslow	Hunter
08-1087-1	Coucoulas/Knight v Town of Hillsborough (Civil) <b>Decision:</b> Reversed	Orange	Bryant Calabria(d)
08-1057-1	Tonter Investments v Pasquotank Co. (Civil) <b>Decision:</b> Affirmed	Pasquotank	Elmore
09-3-1	Williams v Craft Development, LLC (Civil) <b>Decision:</b> Affirmed in part, reversed and remanded in part	Stanly	McGee
08-1230-1	Laster, et al v Francis, et al (Civil) <b>Decision:</b> Affirmed	Wake	Steelman
08-982-1	State v Wagoner (Criminal) <b>Decision:</b> Affirmed	Wilkes	Stroud Elmore(d)

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 1 SEPTEMBER 2009)  
(MANDATE 21 SEPTEMBER 2009)**

Docket #	Title	County	Judge
08-1596-1	State v Lieberman (Criminal) <b>Decision:</b> No Error	Alamance 07CRS55692,07CRS55690	Elmore
08-1105-1	Williamson v Blounts Bay Land Co., LLC (Civil) <b>Decision:</b> Affirmed in part, Remanded in part	Beaufort 06CVS1505	Calabria
09-324-1	State v Taylor (Criminal) <b>Decision:</b> No Error	Buncombe 08CRS57260,08CRS57261,- 08CRS57259,08CRS57262	Elmore
09-32-1	State v Spann (Criminal) <b>Decision:</b> No prejudicial error	Burke 06CRS1614,06CRS1617,06- CRS1615,06CRS1613,06C- RS1616	Stephens
08-1428-1	State v Bandon (Criminal) <b>Decision:</b> No Error	Caldwell 06CRS3365,06CRS3364	Elmore
08-1354-1	State v Laliberte (Criminal) <b>Decision:</b> No Error	Camden 07CRS432	Ervin, IV
09-489-1	In The Matter Of: K.N.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 07JT85	Stephens
09-534-1	In The Matter Of: R.A.L.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 07JT72	Jackson
08-1271-1	Voller Realty & Const. v D.V. Holdings (Civil) <b>Decision:</b> Affirmed in part and remanded in part	Chatham 06CVS538	Steelman
09-390-1	In The Matter Of: C.R. and M.A.R. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Chatham 07JT71,07JT50	Calabria
09-444-1	In The Matter Of: C.P., A.S., J.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Chatham 07JT15,07JT16,07JT14	Calabria
08-1575-1	McDonald v Biltmore Homes, LLC (Civil) <b>Decision:</b> Affirmed	Durham 07CVS5085	Calabria
09-97-1	In The Matter Of: T.B. (Juvenile - Criminal) <b>Decision:</b> No error in part and remanded for a new disposition hearing	Durham 03JB127	Elmore
08-1161-1	State v Crockett (Criminal) <b>Decision:</b> No Error	Forsyth 07CRS37530,07CRS58861	Geer
08-1438-1	Yarbrough Transfer Co. v Beatty (Civil) <b>Decision:</b> Affirmed	Forsyth 07CVS7845	Stroud
09-379-1	In The Matter Of: P.C.L.P. (Juvenile - 3.1)	Gaston 04JT202	Jackson

Docket #	Title	County	Judge
	<b>Decision:</b> Affirmed		
09-348-1	In The Matter Of: I.B., et al (Juvenile - 3.1)	Guilford 07JA686,07JA687,07JA685,- 07JA697	McGee
	<b>Decision:</b> Dismissed		
09-387-1	State v Griffin (Criminal)	Guilford 05CRS23128,05CRS23067	Elmore
	<b>Decision:</b> No Error		
08-1564-1	In The Matter Of The Will Of: Turner (Civil)	Haywood 02E320	Beasley
	<b>Decision:</b> Affirmed		
08-980-1	State v Brewington (Criminal)	Lee 05CRS6683,05CRS6684,05- CRS6682,05CRS6685	Stroud Elmore(c)
	<b>Decision:</b> Affirmed		
08-1390-1	Worthington v Walter Poole Realty (Civil)	Lenoir 08CVS387	Steelman
	<b>Decision:</b> Dismissed		
08-1192-1	Beach v Hughes (Civil)	Mecklenburg 07CVD10223	Calabria
	<b>Decision:</b> Affirmed		
08-1343-1	Watts v Winford (Civil)	Mecklenburg 06CVD24151,04CVD20351	Beasley
	<b>Decision:</b> Dismissed		
09-98-1	State v Lee (Criminal)	Mecklenburg 05CRS57052,05CRS57050	Elmore
	<b>Decision:</b> No Error		
08-952-1	Carolina Digestive v NC Dept. of Health (Civil)	N.C. Dept. of Health & Human Svcs 07DHR1415	Stroud
	<b>Decision:</b> Affirmed		
08-1247-1	Duffy v Hanesbrands, Inc. (Civil)	N.C. Industrial Commission IC593617	Elmore
	<b>Decision:</b> Affirmed		
08-1412-1	Carroll v Triangle Grading (Civil)	N.C. Industrial Commission IC501837	Calabria
	<b>Decision:</b> Affirmed in part, remanded in part		
08-1267-1	State v Long (Criminal)	Onslow 05CRS59297,05CRS59296	Hunter, Jr.
	<b>Decision:</b> No error in part, dismissed in part		
09-195-1	State v Fonville (Criminal)	Onslow 06CRS56956	Elmore
	<b>Decision:</b> Affirmed		
08-1107-1	Belviso v Rosenke (Civil)	Pasquotank 07CVS24	Calabria
	<b>Decision:</b> Affirmed in part, reversed in part		
09-293-1	In The Matter Of: D.B. (Juvenile - 3.1)	Pasquotank 08JT62	Bryant
	<b>Decision:</b> Affirmed		
09-594-1	In The Matter Of: A.M.G. (Juvenile - 3.1)	Randolph 06JT230	Ervin, IV

Docket #	Title	County	Judge
	<b>Decision:</b> Affirmed		
09-8-1	State v McClure (Criminal)	Union 04CRS56731,05CRS12254,- 04CRS56730	Elmore
	<b>Decision:</b> Dismissed in part; vacated in part		
09-16-1	State v Miller (Criminal)	Union 07CRS51851	Elmore
	<b>Decision:</b> Dismissed		
08-1207-1	Miller v Progressive American Ins. Co. (Civil)	Wake 03CVD9167	Elmore Steelman(c)
	<b>Decision:</b> Affirmed		
08-1528-1	State v Pineda-Bentacourt (Criminal)	Wake 05CRS16408,05CRS16409,- 05CRS16407	Elmore
	<b>Decision:</b> Affirmed		
09-334-1	In The Matter Of: D.J.R. (Juvenile - 3.1)	Wayne 08JT50	Stephens
	<b>Decision:</b> Affirmed		