

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 NOVEMBER 2009)**  
**(MANDATE 7 DECEMBER 2009)**

| Docket #  | Title                                                                                     | County                     | Judge                |
|-----------|-------------------------------------------------------------------------------------------|----------------------------|----------------------|
| 09-132-1  | Hardy and King v Beaufort Co. Board (Civil)<br><b>Decision:</b> Affirmed                  | Beaufort                   | Calabria             |
| 09-397-1  | Duplin Co. Bd. of Educ. v Duplin Co. Bd (Civil)<br><b>Decision:</b> Affirmed              | Duplin                     | Beasley              |
| 09-72-1   | State v Washburn (Criminal)<br><b>Decision:</b> Affirmed                                  | Forsyth                    | Martin               |
| 08-1580-1 | State v Williams (Criminal)<br><b>Decision:</b> No Error                                  | Guilford                   | Beasley              |
| 09-336-1  | State v Price (Criminal)<br><b>Decision:</b> No Error                                     | Jackson                    | Steelman             |
| 08-1143-1 | Tands, Inc. v Coastal Plains Realty (Civil)<br><b>Decision:</b> Dismissed                 | Lenoir                     | Jackson              |
| 09-350-1  | Boylan v Verizon Wireless (Civil)<br><b>Decision:</b> Affirmed in part; dismissed in part | N.C. Industrial Commission | Bryant               |
| 08-1277-1 | Hensey v Hennessy (Civil)<br><b>Decision:</b> Affirmed in Part and Reversed in Part       | Onslow                     | Stroud               |
| 08-1529-1 | State v Remley (Criminal)<br><b>Decision:</b> No error; remand for resentencing           | Pitt                       | Stroud               |
| 08-1307-1 | Hensley v NC Dept. of Environment (Civil)<br><b>Decision:</b> Reversed and Remanded       | Wake                       | McGee<br>Steelman(d) |
| 08-1387-1 | NC Dept. of Revenue v Bill Davis Racing (Civil)<br><b>Decision:</b> Reversed and Remanded | Wake                       | Ervin, IV            |
| 09-9-1    | Charlotte-Mecklenburg Hosp. v NCDHHS (Civil)<br><b>Decision:</b> Affirmed                 | Wake                       | Jackson              |
| 09-217-1  | Woodard v NC DOT (Civil)<br><b>Decision:</b> Affirmed                                     | Wake                       | Beasley              |

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| 09-591-1  | In The Matter Of: A.M. and J.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed     | Chatham<br>07JT8,07JT7                                            | Geer      |
| 09-301-1  | State v Garrett (Criminal)<br><b>Decision:</b> No Error                           | Cleveland<br>04CRS53491                                           | Stroud    |
| 09-354-1  | State v Williams (Criminal)<br><b>Decision:</b> No Error                          | Columbus<br>07CRS443                                              | Stroud    |
| 09-429-1  | State v Dixon (Criminal)<br><b>Decision:</b> No Error                             | Columbus<br>07CRS51688,07CRS51689,-<br>07CRS51687                 | Stroud    |
| 09-706-1  | In The Matter Of: K.N.M (Juvenile - 3.1)<br><b>Decision:</b> Affirmed             | Dare<br>08JT21                                                    | Elmore    |
| 09-764-1  | In The Matter Of: M.T. (Juvenile - 3.1)<br><b>Decision:</b> Reversed and Remanded | Guilford<br>06JT317                                               | Steelman  |
| 08-1499-1 | State v Johnson (Criminal)<br><b>Decision:</b> No Error                           | Harnett<br>07CRS6929,07CRS6930,07-<br>CRS50864                    | Geer      |
| 09-310-1  | State v Threatte (Criminal)<br><b>Decision:</b> No Error                          | Iredell<br>06CRS61169                                             | Stroud    |
| 09-427-1  | Rose v Forester, et al (Civil)<br><b>Decision:</b> Affirmed                       | Iredell<br>08CVS1988                                              | Stephens  |
| 09-533-1  | State v Hart (Criminal)<br><b>Decision:</b> Reversed and Remanded                 | Lenoir<br>05CRS3697,05CRS2153                                     | Stroud    |
| 09-371-1  | In The Matter Of: N.S.H. (Juvenile - Criminal)<br><b>Decision:</b> Affirmed       | Macon<br>07JB90                                                   | Jackson   |
| 09-294-1  | State v Massey (Criminal)<br><b>Decision:</b> No Error                            | Mecklenburg<br>07CRS38442,07CRS226975-<br>,07CRS38440,07CRS226976 | Stroud    |
| 09-476-1  | State v Harden (Criminal)<br><b>Decision:</b> Affirmed                            | Mecklenburg<br>08CRS208251,08CRS208250                            | Stroud    |
| 08-1475-1 | Lindsey v Lindsey (Civil)<br><b>Decision:</b> Reversed                            | New Hanover<br>08CVD2268                                          | Geer      |
| 09-863-1  | In Re: D.A.A., A.M.F. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed               | New Hanover<br>06JT131,06JT130                                    | Ervin, IV |

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|-----------|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 09-73-1   | Allen v Allen (Civil)                                            | Pitt<br>03CVD2569                                                                                                                                           | Hunter      |
|           | <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded |                                                                                                                                                             |             |
| 09-413-1  | State v Williams (Criminal)                                      | Pitt<br>08CRS51593,08CRS51706,-<br>08CRS51594,08CRS51592,-<br>08CRS51700                                                                                    | Stroud      |
|           | <b>Decision:</b> No Error                                        |                                                                                                                                                             |             |
| 09-282-1  | State v Gill (Criminal)                                          | Rowan<br>06CRS54457,07CRS1557,0-<br>6CRS54456                                                                                                               | Stroud      |
|           | <b>Decision:</b> No Error                                        |                                                                                                                                                             |             |
| 09-280-1  | State v Lederer-Hughes (Criminal)                                | Wake<br>08CRS5029                                                                                                                                           | Hunter, Jr. |
|           | <b>Decision:</b> No Error                                        |                                                                                                                                                             |             |
| 09-332-1  | State v Owens (Criminal)                                         | Wake<br>07CRS66575,07CRS57226                                                                                                                               | Calabria    |
|           | <b>Decision:</b> No Error                                        |                                                                                                                                                             |             |
| 09-744-1  | In The Matter Of: G.W. (Juvenile - 3.1)                          | Washington<br>08J24                                                                                                                                         | Ervin, IV   |
|           | <b>Decision:</b> Affirmed                                        |                                                                                                                                                             |             |
| 08-1492-1 | State v Battle (Criminal)                                        | Wayne<br>07CRS53274                                                                                                                                         | Geer        |
|           | <b>Decision:</b> No Error                                        |                                                                                                                                                             |             |
| 09-192-1  | State v Mirjah (Criminal)                                        | Wilkes<br>06CRS50145,06CRS50113,-<br>06CRS50148,06CRS50549,-<br>06CRS50146,06CRS50114,-<br>06CRS50149,06CRS50551,-<br>06CRS50112,06CRS50147,-<br>06CRS50115 | Calabria    |
|           | <b>Decision:</b> Affirmed and remanded                           |                                                                                                                                                             |             |
| 09-448-1  | State v Williams (Criminal)                                      | Wilkes<br>08CRS1681,08CRS1680                                                                                                                               | Jackson     |
|           | <b>Decision:</b> Affirmed                                        |                                                                                                                                                             |             |