

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 2 FEBRUARY 2010)**  
**(MANDATE 22 FEBRUARY 2010)**

Docket #	Title	County	Judge
09-947-1	State v Hernandez (Criminal) <b>Decision:</b> No Error	Alleghany	Bryant
09-507-1	Dillingham v Dillingham (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Buncombe	Martin
09-1057-1	In The Matter Of: E.K., K.K., E.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed in Part and Reversed in Part	Caldwell	Stephens
09-687-1	NC Concrete Finishers v NC Farm Bureau (Civil) <b>Decision:</b> Affirmed	Cumberland	Beasley
09-406-1	Trustee Services, Inc. v R.C. Koonts (Civil) <b>Decision:</b> Affirmed	Davidson	Beasley
09-567-1	Beckles-Palomares v Logan (Civil) <b>Decision:</b> Affirmed	Forsyth	Martin
09-972-1	Community One Bank v Bowen (Civil) <b>Decision:</b> Affirmed	Gaston	Bryant
08-1156-2	Moss Creek Homeowners v Bisette (Civil) <b>Decision:</b> Affirmed in Part and Reversed in Part	Guilford	Hunter, Jr.
09-486-1	Builders Mutual Ins. v Glascarr Prop. (Civil) <b>Decision:</b> Affirmed	Guilford	Beasley
08-1043-1	In Re: Clark (Civil) <b>Decision:</b> Affirmed	Harnett	Ervin, IV
09-699-1	State v Blakeman (Criminal) <b>Decision:</b> No error at trial; Remanded for resentencing	Johnston	Beasley
09-474-1	Brown Brothers Harriman Trust v Benson (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stephens
09-546-1	State v Jenkins (Criminal) <b>Decision:</b> new trial	Mecklenburg	Stephens
09-564-1	State v Norman (Criminal) <b>Decision:</b> Dismissed	Mecklenburg	Beasley
09-611-1	Coventry Woods v City of Charlotte (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV
09-762-1	State v Jacobs (Criminal) <b>Decision:</b> No error as to trial, remanded for resentencing	Mecklenburg	Steelman

Docket #	Title	County	Judge
07-269-2	Freeman v Rothrock, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Jackson
09-702-1	Berardi v Craven County Schools (Civil) <b>Decision:</b> Appeal dismissed	N.C. Industrial Commission	Steelman
09-18-1	Bailey And Assoc. v Wilmington BOA (Civil) <b>Decision:</b> Affirmed	New Hanover	Ervin, IV
09-643-1	State v Riley (Criminal) <b>Decision:</b> No prejudicial error as to the trial, remanded to the trial court for resentencing	Pender	Steelman
09-647-1	State v Haas (Criminal) <b>Decision:</b> No Error	Randolph	Steelman
09-298-1	Blackwell v Hatley, et al (Civil) <b>Decision:</b> Affirmed	Rowan	Beasley
09-299-1	Blackwell v Hatley, et al (Civil) <b>Decision:</b> Affirmed	Rowan	Beasley
09-599-1	Thompson v NC Respiratory Care Board (Civil) <b>Decision:</b> Reversed	Wake	Beasley
09-783-1	Johnson v The University of NC (Civil) <b>Decision:</b> Affirmed	Wake	Martin

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 2 FEBRUARY 2010)  
(MANDATE 22 FEBRUARY 2010)**

Docket #	Title	County	Judge
09-651-1	State v Yarborough (Criminal) <b>Decision:</b> No Error	Alamance 07CRS52925	Geer
09-738-1	Newport v Newport (Civil) <b>Decision:</b> Dismissed	Alamance 06CVD2932	Beasley
09-1102-1	In The Matter Of: H.D., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alexander 08J42-46	Stephens
09-516-1	State v Bell (Criminal) <b>Decision:</b> No Error	Anson 08CRS50029 08CRS50030 08CRS50028 08CRS50031	Hunter, Jr.
09-175-1	State v May (Criminal) <b>Decision:</b> No Error	Beaufort 07CRS52737 07CRS53215 07CRS52736 07CRS53216	Elmore
09-457-1	State v Jenkins (Criminal) <b>Decision:</b> No Error	Brunswick 07CRS7735	Stephens
09-984-1	Martin v Martin (Civil) <b>Decision:</b> Affirmed	Buncombe 82CVD871	Jackson
09-826-1	State v Thomas (Criminal) <b>Decision:</b> No Error	Cumberland 07CRS67290	Geer
08-1508-1	Ward v Jett Properties, LLC (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Forsyth 08CVS5189	Geer
09-359-1	State v Grier (Criminal) <b>Decision:</b> No Error	Forsyth 06CRS62073	Stroud
09-915-1	State v Taylor (Criminal) <b>Decision:</b> No Error	Forsyth 08CRS53544 08CRS30801 08CRS53543	Bryant
09-1114-1	In The Matter Of: R.S. and A.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Graham 06JA17-18	Elmore
09-510-1	State v Young (Criminal) <b>Decision:</b> No Error	Guilford 08CRS24422 08CRS24423 06CRS80423 08CRS24455	Elmore
09-730-1	State v James (Criminal) <b>Decision:</b> No Error	Guilford 07CRS100422 08CRS23175 07CRS100421	Geer

Docket #	Title	County	Judge
09-814-1	State v Zeiglar (Criminal) <b>Decision:</b> No error in part; dismissed in part	Guilford 06CRS86998 06CRS87000 06CRS86997	Hunter
09-895-1	Dembinski v Stage Rigging Services, Inc. (Civil) <b>Decision:</b> Dismissed	Guilford 07CVS11428	Hunter
08-1041-1	Clark v Tyco International, Inc. (Civil) <b>Decision:</b> Affirmed	Harnett 05CVS01546	Ervin, IV
09-1088-1	In Re: M.I.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 08J177	Martin
09-614-1	State v Anderson (Criminal) <b>Decision:</b> No Error	Iredell 08CRS50561 08CRS2560	Geer
09-888-1	Southern Prestige v Independence Plating (Civil) <b>Decision:</b> Affirmed	Iredell 08CVS3684	Calabria
09-1115-1	In The Matter Of: H.R.S. and R.F.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Iredell 06JT240-241	Steelman
09-727-1	State v Germain (Criminal) <b>Decision:</b> No Error	Jackson 06CRS51490 06CRS51484 07CRS486 06CRS51499 06CRS51493 06CRS51488 07CRS2579-2597 06CRS51502 06CRS51497 06CRS51491 06CRS51485 07CRS487 06CRS51500 06CRS51494 06CRS51489 06CRS51483 06CRS51503 06CRS51498 06CRS51492 06CRS51487 07CRS488 06CRS51501 06CRS51496	Beasley
09-771-1	State v Keener (Criminal) <b>Decision:</b> No Error	Martin 08CRS156	McGee
09-537-1	Coventry Woods v City of Charlotte (Civil) <b>Decision:</b> Affirmed	Mecklenburg 08CVS7582	Ervin, IV
09-658-1	State v McCollie (Criminal) <b>Decision:</b> No Error	Mecklenburg 07CRS249978 08CRS4431 07CRS249977	Geer
09-667-1	State v Troutman (Criminal) <b>Decision:</b> No Error	Moore 07CRS53191 07CRS52575	Geer
09-849-1	State v Nesmith (Criminal) <b>Decision:</b> Reversed	Nash 08CRS6176	Geer

Docket #	Title	County	Judge
09-462-1	In The Matter Of: J.A.G. (Juvenile - Criminal) <b>Decision:</b> Vacated	Orange 08JB77	Elmore Steelman(c)
09-662-1	State v Lewis (Criminal) <b>Decision:</b> No Error	Orange 07CRS56605 07CRS56603 07CRS56612 07CRS56608 07CRS56613 07CRS56602 07CRS56611	Beasley
09-292-1	Coleman v Moon, et al (Civil) <b>Decision:</b> Affirmed in part, vacated in part	Pender 04CVS727	McGee
09-1201-1	In The Matter Of: H.R.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Perquimans 09JT1	Stroud
09-1082-1	In The Matter Of: N.W.F. and A.C.F. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Person 05J8-9	Calabria
09-659-1	State v Davis (Criminal) <b>Decision:</b> No Error	Pitt 07CRS63156 07CRS63221 07CRS63151	Ervin, IV
09-1066-1	In The Matter Of: G.M.H., S.L.C., A.M.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 07JT21-23	Stroud
09-1179-1	In The Matter Of: C.J.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Randolph 06JT231	Martin
09-604-1	State v Hammonds (Criminal) <b>Decision:</b> No Error	Robeson 07CRS56134 07CRS56137 07CRS56135 08CRS12090 07CRS14322 07CRS56136	Geer
09-389-1	State v Early (Criminal) <b>Decision:</b> No Error	Rockingham 07CRS53629 07CRS53835	McGee
09-1249-1	In The Matters Of: J.A.O. and T.W.O., Jr. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Rockingham 07JA82-83	Elmore
09-679-1	State v Reich (Criminal) <b>Decision:</b> No Error	Rutherford 06CRS54985	Steelman
09-190-1	State v Hooker (Criminal) <b>Decision:</b> No Error	Wake 07CRS17816 07CRS17817 07CRS17814	Elmore
09-736-1	State v Reel (Criminal) <b>Decision:</b> Affirmed	Wake 07CRS101690	Geer
09-772-1	State v Peppers (Criminal)	Wake 07CRS68181	Beasley

---

Docket #	Title	County	Judge
----------	-------	--------	-------

---

**Decision:** Affirmed