

**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

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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

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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 08CRS50029,08CRS5003-0,08CRS50028,08CRS50031	Hunter, Jr.
09-175-1	State v May (Criminal) <b>Decision:</b> No Error	Beaufort 07CRS52737,07CRS5321-5,07CRS52736,07CRS53216	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 08CRS53544,08CRS3080-1,08CRS53543	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 08CRS24422,08CRS2442-3,06CRS80423,08CRS24455	Elmore
09-730-1	State v James (Criminal) <b>Decision:</b> No Error	Guilford 07CRS100422,08CRS231-75,07CRS100421	Geer

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09-814-1	State v Zeiglar (Criminal) <b>Decision:</b> No error in part; dismissed in part	Guilford 06CRS86998,06CRS8700-0,06CRS86997	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 06CRS51490,06CRS5148-4,07CRS486,06CRS51499-,06CRS51493,06CRS5148-8,07CRS2579-2597,06CRS51502,06CRS51497,06CRS51491,06CRS51485,07CRS487,06CRS51500,06CRS51494,06CRS51489,06CRS51483,06CRS51503,-06CRS51498,06CRS5149-2,06CRS51487,07CRS488-,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 07CRS249978,08CRS443-1,07CRS249977	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

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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 07CRS56605,07CRS5660-3,07CRS56612,07CRS566-08,07CRS56613,07CRS56-602,07CRS56611	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 07CRS63156,07CRS6322-1,07CRS63151	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 07CRS56134,07CRS5613-7,07CRS56135,08CRS120-90,07CRS14322,07CRS56136	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 07CRS17816,07CRS1781-7,07CRS17814	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

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<b>Decision:</b> Affirmed			