

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 APRIL 2010)**  
**(MANDATE 26 APRIL 2010)**

Docket #	Title	County	Judge
08-1017-1	First Gaston Bank v City of Hickory (Civil) <b>Decision:</b> Affirmed	Catawba	Geer
09-748-1	State v Hinson (Criminal) <b>Decision:</b> New trial in No. 06CRS1602; remanded for resentencing in No. 06CRS1603.	Cleveland	McGee Steelman(c)(d)
07-1419-2	Gaines v Cumberland County Hospital (Civil) <b>Decision:</b> Reverse and Remand	Cumberland	Hunter
09-787-1	Green, et al v Kearney, et al (Civil) <b>Decision:</b> Dismissed in part; reversed in part	Franklin	Hunter
09-557-1	Musick v Musick (Civil) <b>Decision:</b> Dismissed	Gaston	Calabria
09-970-1	Cloninger v NC Dept. of Health (Civil) <b>Decision:</b> Affirm	Gaston	Beasley
09-957-1	Allen, ex rel v County of Granville, et al (Civil) <b>Decision:</b> Reversed	Granville	Martin
09-1242-1	Dunton v Ayscue (Civil) <b>Decision:</b> Affirmed	Granville	Hunter
09-731-1	Lato Holdings v Bank of NC (Civil) <b>Decision:</b> Affirmed	Guilford	Stroud
09-1299-1	Ahmadi v Triangle Rent A Car, Inc. (Civil) <b>Decision:</b> Affirmed	Guilford	Steelman
09-728-1	State v Daniels (Criminal) <b>Decision:</b> Vacated, remanded in part and dismissed in part	Hoke	Stroud
09-898-1	Crowley v Crowley (Civil) <b>Decision:</b> Reversed	Mecklenburg	McGee
09-758-1	Watkins v Trogon Masonry, Inc. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Beasley
09-515-1	State v Chery (Criminal) <b>Decision:</b> Affirmed	Onslow	Steelman
09-1105-1	State v Phillips (Criminal) <b>Decision:</b> Reversed and Remanded	Onslow	Martin
09-114-1	State v McRae (Criminal) <b>Decision:</b> No Error	Robeson	Geer

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09-386-1	State v Cruz (Criminal) <b>Decision:</b> No Error	Robeson	Stephens Hunter, Jr.(d)
09-569-1	Mace v Pyatt, et al (Civil) <b>Decision:</b> No error in part, and new trial in part	Rutherford	Hunter, Jr.
08-1548-1	Hope-A Women's v NC Dept. of Health (Civil) <b>Decision:</b> Affirmed	Wake	Beasley
09-715-1	Kelly v Regency Centers Corp. (Civil) <b>Decision:</b> Affirmed	Wake	Hunter, Jr.
09-1030-1	State v Haymond (Criminal) <b>Decision:</b> 07CRS000881-Reversed.07CRS000886-Reversed.07CRS050460-No Error At Trial;New Sentencing Hearing.07CRS050466-Reversed.08CRS000108-No Error At Trial; New Sentencing Hearing.08CRS001470-No Error At Trial; New Sentencing Hearing.08CRS001471-No Error At Trial; New Sentencing Hearing;08CRS001472-No Error At Trial; New Sentencing Hearing.08CRS001473-No Error At Trial; New Sentencing Hearing.08CRS001474-No Error At Trial;New Sentencing Hearing.08CRS001475-No Error At Trial; New Sentencing Hearing.	Wilkes	Martin

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Docket #	Title	County	Judge
08-987-2	Town of Leland, NC v HWW, LLC (Civil) <b>Decision:</b> Remanded	Brunswick 07CVS2440	Calabria
09-671-1	Miller & Long v Intracoastal Living (Civil) <b>Decision:</b> Dismissed	Brunswick 07CVS1760	Stroud
09-79-1	State v Beltran-Ponce (Criminal) <b>Decision:</b> No Error	Buncombe 08CRS347,08CRS52417	Geer
09-797-1	Raymond v NC Police Benevolent Assoc. (Civil) <b>Decision:</b> Affirmed	Buncombe 08CVS4456	Bryant
09-1355-1	In The Matter Of: B.L.H. and Z.L.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 09JT255-256	Ervin, IV
09-681-1	State v Smith (Criminal) <b>Decision:</b> No prejudicial error	Cabarrus 08CRS1626,08CRS1625	Stroud
09-997-1	State v Brown (Criminal) <b>Decision:</b> Affirmed	Cabarrus 08CRS10706	Hunter, Jr.
09-215-1	Harrison v Lands End of Emerald Isle (Civil) <b>Decision:</b> Affirmed	Carteret 05CVS1154	Stephens
09-1053-1	State v Crooms (Criminal) <b>Decision:</b> Affirmed	Carteret 07CRS50598-50601	Hunter, Jr.
09-865-1	State v Hightower (Criminal) <b>Decision:</b> No Error	Caswell 08CRS819,08CRS820,08CRS818,08CRS821	Beasley
09-1532-1	In The Matter Of: B.E. and B.E. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Chatham 03JT23-24	Ervin, IV
09-953-1	State v Parks (Criminal) <b>Decision:</b> No Error	Cleveland 06crs6595-7	Steelman
09-1012-1	State v Batts (Criminal) <b>Decision:</b> No Error	Duplin 08crs50342,08crs50345,08crs3761	Hunter, Jr.
09-605-1	State v Grange (Criminal) <b>Decision:</b> No Error	Durham 06CRS54275,06CRS54280,-06CRS54277,06CRS54274,-06CRS54278	Calabria
09-1010-1	State v Tellez (Criminal) <b>Decision:</b> No prejudicial error	Forsyth 08crs51053	Jackson
09-950-1	Osman v Reese, et al (Civil)	Guilford 08CVS1146	McGee

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	<b>Decision:</b> Affirmed		
09-995-1	In The Matter Of: A.B. (Juvenile - Criminal)	Guilford 08JB772	Elmore
	<b>Decision:</b> Affirmed		
09-749-1	Gray v Bryant (Civil)	Lee 08CVS1156	Per Curiam
	<b>Decision:</b> Affirmed		
09-1366-1	In The Matter Of: D.J.J.H. (Juvenile - 3.1)	Lincoln 07JT29	Hunter
	<b>Decision:</b> Affirmed		
09-1111-1	State v Royster (Criminal)	Mecklenburg 08crs23358-9	Hunter, Jr.
	<b>Decision:</b> No Error		
09-831-1	Babbert v Sanders Ford (Civil)	N.C. Industrial Commission 676214	Martin
	<b>Decision:</b> Affirmed		
09-971-1	Hatley v Continental General Tire (Civil)	N.C. Industrial Commission 569479	Hunter
	<b>Decision:</b> Affirmed		
09-1090-1	Scott v N.C. Department of Correction (Civil)	N.C. Industrial Commission TA-20478	Wynn, Jr.
	<b>Decision:</b> Affirmed		
09-1268-1	Edgerton v Wythe Advantage (Civil)	N.C. Industrial Commission 791216	Bryant
	<b>Decision:</b> Affirmed		
09-250-1	Joyner v Bowen (Civil)	Nash 07CVD1829	Jackson
	<b>Decision:</b> Affirmed		
09-911-1	State v Anderson (Criminal)	Pitt 07CRS61214,07CRS61215,- 07CRS61211	Hunter, Jr.
	<b>Decision:</b> No Error		
09-1365-1	In The Matter Of: A.N.G, et al (Juvenile - 3.1)	Randolph 06JT157,06JT159,07JT50	McGee
	<b>Decision:</b> Affirmed		
09-1011-1	State v Capps (Criminal)	Rockingham 07crs4384	Beasley
	<b>Decision:</b> No Error		
09-1035-1	State v Brooks (Criminal)	Stanly 05CRS248,04CRS52365	Hunter, Jr.
	<b>Decision:</b> No Error		
09-830-1	State v Lewis (Criminal)	Surry 07CRS2104	Jackson
	<b>Decision:</b> No Error		
09-683-1	Piedmont Area Mental v City of Monroe (Civil)	Union 08CVS2567	Hunter, Jr.
	<b>Decision:</b> Dismissed		
09-633-1	State v Blow (Criminal)	Wake 03CRS30991,03CRS30990,- 02CRS59687	Jackson
	<b>Decision:</b> Affirmed		

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09-719-1	State v Massenburg (Criminal)  <b>Decision:</b> No Error	Wake 07CRS45619,07CRS47675,- 07CRS45616	Hunter, Jr.
09-733-1	State v Chambers (Criminal)  <b>Decision:</b> Affirmed	Wake 07CRS75092,07CRS75023	Hunter, Jr.
09-878-1	Bennett v Equity Residential (Civil)  <b>Decision:</b> Affirmed	Wake 07CVS7074	Beasley
09-989-1	State v Person (Criminal)  <b>Decision:</b> No Error	Wake 07crs52601	Hunter, Jr.
09-1091-1	State v Stevens (Criminal)  <b>Decision:</b> No Error	Wake 07CRS42960	Steelman
09-1174-1	Daily Express, Inc. v NC Dept. of Crime (Civil)  <b>Decision:</b> Reversed	Wake 06CVS15962	Martin
09-1175-1	Earthmovers Equip. v NC Dept. of Crime (Civil)  <b>Decision:</b> Reversed	Wake 07CVS5022	Martin
09-1176-1	Keen Transport, Inc. v NC Dept. of Crime (Civil)  <b>Decision:</b> Reversed	Wake 07CVS12922	Martin
09-1177-1	Valley Transportation v NC Dept. of Crime (Civil)  <b>Decision:</b> Reversed	Wake 07CVS12921	Martin
09-1178-1	West Side Heavy v NC Dept. of Crime (Civil)  <b>Decision:</b> Reversed	Wake 07CVS12920	Martin
09-861-1	State v Fritz (Criminal)  <b>Decision:</b> No Error	Wayne 08CRS50720	Steelman