

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 15 JUNE 2010)**  
**(MANDATE 6 JULY 2010)**

Docket #	Title	County	Judge
08-1004-1	Hudgins v Wagoner (Civil) <b>Decision:</b> Affirmed in part; Reversed in part; Remanded	Alamance	Jackson
10-153-1	In The Matter Of: A.R.D. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Alleghany	Martin Cheri Beasley(d)
09-1042-1	State v Mauck (Criminal) <b>Decision:</b> Affirmed	Buncombe	Stroud
09-1566-1	MRD Motorsports v Trail Motorsports, et al (Civil) <b>Decision:</b> Reversed and Remanded	Cabarrus	Martin
09-1516-1	War Eagle, Inc. v Belair (Civil) <b>Decision:</b> Reversed and Remanded	Catawba	Wynn, Jr.
09-896-1	Nelson, ex rel v Bennett, et al (Civil) <b>Decision:</b> Affirmed in Part and Reversed in Part	Chatham	Ervin, IV Robert N. Hunter, Jr.(c)(d)
09-778-1	McCaskill v Dept. of State Treasurer (Civil) <b>Decision:</b> Affirmed	Durham	Ervin, IV Robert C. Hunter(d)
09-1287-1	State v Dark (Criminal) <b>Decision:</b> No Error	Granville	Martin
09-1048-1	State v Ferguson (Criminal) <b>Decision:</b> Possession of marijuana with the intent to sell or deliver: Vacated. Felonious possession of marijuana: Vacated and remanded for sentencing on simple possession of marijuana. Possession of drug paraphernalia: Remanded for resentencing. Resisting, delaying, and obstructing an officer: Remanded for resentencing	Guilford	Ervin, IV
09-1246-1	State v Pringle (Criminal) <b>Decision:</b> No Error	Guilford	Hunter
09-270-1	Bryson v Haywood Regional Medical Ctr. (Civil) <b>Decision:</b> Affirmed	Haywood	Geer
10-119-1	In The Matter Of: S.N.W. and A.Z.W. (Juvenile - 3.1) <b>Decision:</b> Remanded	Haywood	Beasley
09-1213-1	State v Brown (Criminal) <b>Decision:</b> Affirmed	Johnston	Bryant
09-496-1	State v Huey (Criminal) <b>Decision:</b> Reversed	Mecklenburg	Geer
09-499-1	Reese v Mecklenburg County, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV

Docket #	Title	County	Judge
09-109-1	Dawson v N.C. Dept. of Environment (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Geer
09-977-1	State v Walker (Criminal) <b>Decision:</b> No Error	Onslow	Ervin, IV
08-1020-2	State v Morton (Criminal) <b>Decision:</b> No Error	Person	Hunter, Jr.
09-833-1	State v Bethea (Criminal) <b>Decision:</b> No Error	Richmond	Hunter, Jr.
09-182-1	Tyburski v Stewart (Civil) <b>Decision:</b> Reversed	Wake	Geer

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 15 JUNE 2010)  
(MANDATE 6 JULY 2010)**

Docket #	Title	County	Judge
09-1296-1	State v Barts (Criminal) <b>Decision:</b> Affirmed	Alamance 83CRS16485-88	Martin
09-1139-1	State v Arthur and Palmer (Criminal) <b>Decision:</b> No Error	Beaufort 07CRS52053 07CRS51909	Jackson
09-1679-1	State v Bunting (Criminal) <b>Decision:</b> No Error	Beaufort 07CRS51184	Steelman
09-1726-1	In Re: C.R.C. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, remanded in part	Bertie 07J21	Steelman
09-949-1	Unifund CCR Partners v Rowell (Civil) <b>Decision:</b> Affirmed	Buncombe 08CVD4773	McGee
09-1654-1	In The Matter Of: W.Q.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 08JT181	Wynn, Jr.
09-1050-1	Ayerza v Cabarrus County DSS (Civil) <b>Decision:</b> Affirmed	Cabarrus 08CVS4137	Jackson
07-643-2	In the Matter of M.G., et al (Juvenile - 3.1) <b>Decision:</b> Affirmed in part; reversed in part; remanded in part	Cumberland 06JA0401 06JA0402 06JA0400 06JA0403	Geer
09-1599-1	State v Whitted (Criminal) <b>Decision:</b> Dismissed	Durham 08CRS49465	Steelman
09-1342-1	State v O'Shields (Criminal) <b>Decision:</b> No error; Remand for correction of clerical errors	Forsyth 07CRS59191 07CRS59194	Beasley
09-1166-1	State v Granger (Criminal) <b>Decision:</b> No Error	Gaston 07CRS60064-67 07CRS60042	Bryant
09-1388-1	State v Grooms (Criminal) <b>Decision:</b> No prejudicial error	Guilford 09CRS27610	Stephens
10-20-1	In Re: M.E.M. and G.O.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 09JT73-74	Martin
10-78-1	In The Matter Of: T.M.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 08JA92	Hunter
09-1358-1	Hawkins v Britesmilz Family (Civil) <b>Decision:</b> Affirmed	Halifax 05CVS1317	Bryant
09-1084-1	Stahr v NC Dept. of Transportation (Civil)	Henderson 06CVS731	McGee

Docket #	Title	County	Judge
	<b>Decision:</b> Reversed and Remanded		
09-1328-1	State v West (Criminal)	Henderson 06CRS4237	Stephens
	<b>Decision:</b> No Error		
10-164-1	State v Wells (Criminal)	Henderson 08CRS54300-03 08CRS53167-68	Steelman
	<b>Decision:</b> Affirmed		
10-241-1	In The Matter Of: D.I., V.M., D.I., R.M., K.I., C.I. (Juvenile - 3.1)	Johnston 09JT13-18	Beasley
	<b>Decision:</b> Affirmed		
09-1715-1	In The Matter Of: J.A.C. (Juvenile - 3.1)	Lincoln 07JT142	Elmore
	<b>Decision:</b> Affirmed		
09-74-1	Carolina Homes By Design v Lyons (Civil)	Macon 06CVS493	Geer
	<b>Decision:</b> Affirmed		
09-781-1	Brooks Millwork Company v Levine (Civil)	Mecklenburg 08CVS6654	Jackson
	<b>Decision:</b> Affirmed		
09-1165-1	State v Helms (Criminal)	Mecklenburg 08CRS16473 07CRS66769	Stephens
	<b>Decision:</b> No Error		
09-1200-1	State v Scott (Criminal)	Mecklenburg 07CRS216446-47	Stephens
	<b>Decision:</b> No Error		
09-1274-1	State v Velasquez (Criminal)	Mecklenburg 08CRS201325	Stephens
	<b>Decision:</b> Dismissed		
09-1616-1	In The Matter Of: S.H. (Juvenile - 3.1)	Mecklenburg 07JT367	Hunter
	<b>Decision:</b> Affirmed		
09-430-1	Ragsdale v Lamar Outdoor Advertising (Civil)	N.C. Industrial Commission IC532240 IC222918	Calabria
	<b>Decision:</b> Remanded		
09-1513-1	State v Franklin (Criminal)	Nash 06CRS52053-57 06CRS52221-25 06CRS52047 06CRS53071	Stephens
	<b>Decision:</b> Reversed and Remanded		
09-396-1	PPD Dev., LP v Cognition Pharmaceutical (Civil)	New Hanover 08CVS3753	Geer
	<b>Decision:</b> Affirmed		
09-1227-1	State v Schwartz (Criminal)	New Hanover 07CRS3733	Stephens
	<b>Decision:</b> No prejudicial error		
09-1294-1	State v Collins (Criminal)	Orange 08CRS860	Stephens
	<b>Decision:</b> Reversed		

Docket #	Title	County	Judge
09-1688-1	State v McDougald (Criminal) <b>Decision:</b> Affirmed	Robeson 05CRS55905	Steelman
09-670-1	Lewis v Purcell (Civil) <b>Decision:</b> Affirmed	Rockingham 07CVS2293	Stephens
09-1288-1	State v Aguilar (Criminal) <b>Decision:</b> Dismissed	Sampson 08CRS53068	Steelman
09-1343-1	State v Robinson (Criminal) <b>Decision:</b> No error in part; reversed and remanded in part	Sampson 07CRS51103	Steelman
10-177-1	In The Matter Of: L.D.B. (Juvenile - 3.1) <b>Decision:</b> Vacated and remanded	Sampson 06JA38	Hunter
09-1508-1	State v Williams (Criminal) <b>Decision:</b> No Error	Stanly 09CRS739 07CRS53226-27	Steelman
09-1164-1	State v Gordon (Criminal) <b>Decision:</b> No Error	Transylvania 08CRS50473 08CRS50467	McGee
09-1206-1	State v Hamm (Criminal) <b>Decision:</b> Remanded for resentencing	Wake 08CRS68821 08CRS69166	Bryant
09-1427-1	State v Lytle (Criminal) <b>Decision:</b> No Error	Wake 08CRS6459-61 08CRS30197 08CRS5798	Calabria
09-1391-1	State v Blount (Criminal) <b>Decision:</b> No Error	Wayne 08CRS55768	Stephens
09-1501-1	State v Boulter (Criminal) <b>Decision:</b> Affirmed	Wayne 08CRS50484	Steelman
09-1646-1	In The Matter Of: P.R.B., Jr. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wilkes 06JT130	Bryant
09-1215-1	Martin v Martin (Civil) <b>Decision:</b> Affirm in part, Reverse in part	Wilson 07CVD2665	Beasley