

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 21 DECEMBER 2010)**  
**(MANDATE 10 JANUARY 2011)**

| Docket #  | Title                                                                                                     | County                     | Judge     |
|-----------|-----------------------------------------------------------------------------------------------------------|----------------------------|-----------|
| 09-1364-1 | State v Crowder (Criminal)<br><b>Decision:</b> Vacated                                                    | Avery                      | Geer      |
| 09-333-1  | Barris v Town of Long Beach, et al (Civil)<br><b>Decision:</b> Reversed and Remanded                      | Brunswick                  | Jackson   |
| 10-333-1  | J.M. Parker And Sons, Inc. v William Barber, Inc.,<br>et al (Civil)<br><b>Decision:</b> Affirmed          | Brunswick                  | Bryant    |
| 09-1613-1 | State v Capers (Criminal)<br><b>Decision:</b> No Error                                                    | Cleveland                  | Geer      |
| 10-105-1  | Munn, ex rel v Haymount Rehabilitation, et al<br>(Civil)<br><b>Decision:</b> Affirmed                     | Cumberland                 | Stroud    |
| 09-1562-1 | Sheffer v Rardin (Civil)<br><b>Decision:</b> Affirmed                                                     | Dare                       | Stroud    |
| 10-589-1  | Roberts, et al v Adventure Holdings, LLC, et al<br>(Civil)<br><b>Decision:</b> Affirmed in part; remanded | Durham                     | Jackson   |
| 10-446-1  | State v Paterson (Criminal)<br><b>Decision:</b> No Error                                                  | Forsyth                    | Hunter    |
| 10-378-1  | McCorkle v North Point Chrysler Jeep, Inc. (Civil)<br><b>Decision:</b> Affirmed                           | Guilford                   | Stephens  |
| 10-636-1  | Hartman v Robertson (Civil)<br><b>Decision:</b> Affirmed                                                  | Iredell                    | Jackson   |
| 09-1625-1 | Mecklenburg County v Simply Fashion Stores<br>(Civil)<br><b>Decision:</b> Affirmed                        | Mecklenburg                | Jackson   |
| 10-376-1  | Moore v Onafowora (Civil)<br><b>Decision:</b> Affirmed                                                    | Mecklenburg                | Bryant    |
| 10-470-1  | State v Ford (Criminal)<br><b>Decision:</b> Affirmed                                                      | Mecklenburg                | Hunter    |
| 10-475-1  | State v Jones (Criminal)<br><b>Decision:</b> new trial                                                    | Mecklenburg                | Martin    |
| 09-1324-1 | Huffman, et al v Moore County, et al (Civil)<br><b>Decision:</b> Affirmed                                 | N.C. Industrial Commission | Ervin, IV |
| 09-1645-1 | McLeod v Wal-Mart Stores, Inc., et al (Civil)<br><b>Decision:</b> Affirmed                                | N.C. Industrial Commission | Stroud    |

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| 10-454-1  | Javorsky v New Hanover Regional Medical Center, et al (Civil)<br><b>Decision:</b> Affirmed                      | N.C. Industrial Commission | Bryant    |
| 10-634-1  | State v Wilkins (Criminal)<br><b>Decision:</b> Vacated and remanded                                             | Nash                       | Hunter    |
| 10-331-1  | State v Foy (Criminal)<br><b>Decision:</b> Reversed and Remanded                                                | New Hanover                | Steelman  |
| 09-887-1  | Bohannon v McManaway (Civil)<br><b>Decision:</b> Reversed in part; vacated in part; affirmed in part            | Orange                     | Elmore    |
| 10-631-1  | In The Matter Of: A.S.Y. (Juvenile - 3.1)<br><b>Decision:</b> Vacated and remanded                              | Orange                     | Calabria  |
| 09-1578-1 | Cohen v McLawhorn (Civil)<br><b>Decision:</b> Affirmed                                                          | Pitt                       | Geer      |
| 10-622-1  | State v Chillo (Criminal)<br><b>Decision:</b> Reversed                                                          | Pitt                       | Jackson   |
| 10-722-1  | In Re: D.H.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                                     | Robeson                    | McGee     |
| 10-178-1  | State v Hernandez (Criminal)<br><b>Decision:</b> No Error                                                       | Rockingham                 | Ervin, IV |
| 10-483-1  | State v Hunter (Criminal)<br><b>Decision:</b> Affirmed as to the motions to suppress. No error as to the trial. | Union                      | Bryant    |
| 10-602-1  | Blackburn v Carbone, et al (Civil)<br><b>Decision:</b> Affirmed                                                 | Wilkes                     | Ervin, IV |

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| 10-339-1  | In The Matter Of: Trice (Civil)<br><b>Decision:</b> Reversed                               | Buncombe<br>09SPC531                   | Hunter, Jr.  |
| 10-641-1  | In The Matter Of: S.K. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                       | Buncombe<br>08JA321                    | Martin       |
| 10-700-1  | State v Freck (Criminal)<br><b>Decision:</b> No Error                                      | Buncombe<br>09CRS63314-15              | Thigpen, Jr. |
| 09-1290-1 | State v Rivers (Criminal)<br><b>Decision:</b> Affirmed                                     | Cabarrus<br>08CRS53293-94              | Steelman     |
| 09-1697-1 | State v Hallman (Criminal)<br><b>Decision:</b> No Error                                    | Cabarrus<br>08CRS52053                 | Geer         |
| 10-429-1  | Dunkle v Utley (Civil)<br><b>Decision:</b> Reversed and Remanded                           | Carteret<br>06CVD1210                  | Bryant       |
| 09-1634-1 | State v Rayburn (Criminal)<br><b>Decision:</b> No prejudicial error                        | Cherokee<br>08CRS50859                 | Elmore       |
| 10-129-1  | Garrett v Murphy (Civil)<br><b>Decision:</b> Reversed and Remanded                         | Cherokee<br>07CVS323                   | Stephens     |
| 10-171-1  | Bluejack Enterprises, LLC v Town of Edenton (Civil)<br><b>Decision:</b> Affirmed           | Chowan<br>08CVS378                     | Jackson      |
| 10-790-1  | In The Matter Of: I.R.T. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                     | Cleveland<br>07JT62                    | Martin       |
| 10-13-1   | Dillahunt v First Mount Vernon Industrial Loan, et al (Civil)<br><b>Decision:</b> Affirmed | Craven<br>08CVS1688                    | Geer         |
| 10-477-1  | State v Townsend (Criminal)<br><b>Decision:</b> No Error                                   | Cumberland<br>08CRS53363,08CRS52044-45 | Jackson      |
| 10-861-1  | In The Matter Of: N.A. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                       | Cumberland<br>07JA503                  | Calabria     |
| 10-274-1  | Maynard v Bowles (Civil)<br><b>Decision:</b> Affirmed                                      | Davidson<br>09CVS152                   | McGee        |
| 10-81-1   | State v Fortune (Criminal)<br><b>Decision:</b> No Error                                    | Durham<br>04CRS48779                   | McGee        |
| 10-806-1  | In The Matter Of: W.B. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                       | Durham<br>08J303                       | Bryant       |

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| 10-835-1  | In The Matter Of: T.M., IV (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                     | Durham<br>09JT54                                                              | Elmore       |
| 09-1198-1 | State v Gray (Criminal)<br><b>Decision:</b> No Error                                                         | Forsyth<br>08CRS935,08CRS58243                                                | Geer         |
| 10-568-1  | Bacstrom v Foye (Civil)<br><b>Decision:</b> Affirmed                                                         | Franklin<br>08CVD1612                                                         | Thigpen, Jr. |
| 10-215-1  | State v Wooten (Criminal)<br><b>Decision:</b> No prejudicial error                                           | Gaston<br>08CRS58646                                                          | Jackson      |
| 10-819-1  | In The Matter Of: H.M.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in part; vacated and remanded in part | Granville<br>09J55                                                            | Calabria     |
| 10-258-1  | State v Dancy (Criminal)<br><b>Decision:</b> No Error                                                        | Guilford<br>08CRS78089-92,08CRS-78349-50,08CRS78332,0-8CRS78000,08CRS78341-42 | Hunter       |
| 10-328-1  | Rolls v Rolls (Civil)<br><b>Decision:</b> Dismissed in part; affirmed in part                                | Guilford<br>08CVD12537                                                        | Steelman     |
| 10-526-1  | State v Patton (Criminal)<br><b>Decision:</b> No Error                                                       | Henderson<br>05CRS56285-86                                                    | Martin       |
| 09-877-1  | Security Credit Corp. v Barefoot, et al (Civil)<br><b>Decision:</b> Affirmed                                 | Johnston<br>08CVS142                                                          | Steelman     |
| 10-317-1  | State v Devone (Criminal)<br><b>Decision:</b> No Error                                                       | Johnston<br>09CRS1198,09CRS1193,-08CRS58802                                   | Ervin, IV    |
| 10-662-1  | State v Martin (Criminal)<br><b>Decision:</b> No Error                                                       | Macon<br>08CRS426-428                                                         | Calabria     |
| 10-566-1  | State v Kirk (Criminal)<br><b>Decision:</b> No error in part; remand in part                                 | Mecklenburg<br>09CRS42324,09CRS460-95,07CRS234277                             | Elmore       |
| 10-633-1  | State v Sanders (Criminal)<br><b>Decision:</b> No error in part; vacated and remanded in part                | Mecklenburg<br>08CRS209836                                                    | Thigpen, Jr. |
| 10-131-1  | Livingston v Goodyear Rubber And Tire Co. (Civil)<br><b>Decision:</b> Affirmed                               | N.C. Industrial<br>Commission<br>815245                                       | Ervin, IV    |
| 10-249-1  | Dawes v Autumn Corporation (Civil)<br><b>Decision:</b> Dismissed                                             | N.C. Industrial<br>Commission<br>473729                                       | Ervin, IV    |

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| 10-674-1  | In The Matter Of: S.A.F. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                               | New Hanover<br>08JT221                    | Geer     |
| 10-663-1  | State v Lee (Criminal)<br><b>Decision:</b> No Error                                                  | Onslow<br>08CRS55418-19                   | Elmore   |
| 09-889-1  | McManaway v LDS Family Services, et al (Civil)<br><b>Decision:</b> Affirmed                          | Orange<br>08CVS1771                       | Elmore   |
| 10-803-1  | In Re: A.T., T.L., I.T. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                | Person<br>05J58-59,07J19                  | McGee    |
| 10-677-1  | State v Pollard (Criminal)<br><b>Decision:</b> No error in part; dismissed without prejudice in part | Pitt<br>09CRS7269                         | Jackson  |
| 10-857-1  | In The Matter Of: S.L.R., Jr. and A.D.R. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed               | Randolph<br>08JT94-95                     | Hunter   |
| 10-807-1  | In The Matter Of: T.L.T., J.W.T., Jr., A.M.T. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed          | Rockingham<br>08JT136-138                 | Hunter   |
| 10-775-1  | In Re: W.S.P., Jr. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                     | Rowan<br>08JT103                          | Bryant   |
| 10-353-1  | State v Joyner (Criminal)<br><b>Decision:</b> Affirmed                                               | Sampson<br>09CRS51,09CRS50004-05          | Hunter   |
| 10-366-1  | State v Wilson (Criminal)<br><b>Decision:</b> No Error                                               | Stanly<br>08CRS51755,09CRS206-9,08CRS1859 | Elmore   |
| 09-1400-1 | Richardson v Mancil, et al (Civil)<br><b>Decision:</b> Affirmed in Part and Reversed in Part         | Union<br>08CVS2596                        | Calabria |
| 09-1434-1 | State v Bass (Criminal)<br><b>Decision:</b> No Error                                                 | Wake<br>07CRS88892                        | Geer     |
| 09-1606-1 | Haynie v NC State Board of Examiners of Plumbing (Civil)<br><b>Decision:</b> Affirmed                | Wake<br>09CVS3496                         | Bryant   |
| 09-1607-1 | Haynie, et al v NC State Board of Examiners of Electrical (Civil)<br><b>Decision:</b> Affirmed       | Wake<br>09CVS1654                         | Bryant   |
| 10-922-1  | In The Matter Of: A.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                 | Wake<br>10JA79                            | Elmore   |