

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 1 MARCH 2011)**  
**(MANDATE 21 MARCH 2011)**

Docket #	Title	County	Judge
10-854-1	State v Wright (Criminal) <b>Decision:</b> Vacated in part and remanded for resentencing.	Bladen	Thigpen, Jr.
09-1150-1	State v Banks (Criminal) <b>Decision:</b> No Prejudicial Error	Buncombe	Steelman
10-399-1	State v Hill (Criminal) <b>Decision:</b> No Error	Buncombe	McGee Robert N. Hunter, Jr. (d)
10-916-1	State v Elkins (Criminal) <b>Decision:</b> NO ERROR, in part, VACATED, in part.	Buncombe	Thigpen, Jr.
10-1154-1	In Re: N.T.S. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Columbus	Stephens
10-762-1	Cathey v Cathey (Civil) <b>Decision:</b> Reversed	Cumberland	Calabria
10-271-1	Cape Hatteras Electric Membership Corporation v Lay (Civil) <b>Decision:</b> Affirmed	Dare	Hunter
10-26-1	State v Johnson (Criminal) <b>Decision:</b> No Error	Durham	Stroud
10-120-1	CRLP Durham, LP, v Durham City/County Board of Adjustment (Civil) <b>Decision:</b> Dismissed	Durham	Stroud
10-779-1	K2 Asia Ventures, et al v Trota, et al (Civil) <b>Decision:</b> Dismissed	Forsyth	Stephens
10-426-1	Boone v Rogers (Civil) <b>Decision:</b> Vacated and Remanded	Graham	Stroud
10-921-1	State v Scruggs (Criminal) <b>Decision:</b> Affirmed	Guilford	Bryant
10-348-1	State v Lawrence (Criminal) <b>Decision:</b> No error in part; reversed and remanded in part; new trial in part; and remanded for new sentencing hearing.	Hoke	Hunter, Jr.
10-397-1	Hammond v Hammond (Civil) <b>Decision:</b> Affirmed	Iredell	Hunter, Jr.
10-450-1	State v Wiggins (Criminal) <b>Decision:</b> No Error in Part, Reversed and Remanded in Part	Lenoir	Ervin, IV

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09-1412-1	Reese v Brooklyn Village, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stephens
10-91-1	Peters v Pennington (Civil) <b>Decision:</b> Affirmed in part, Vacated in part and Remanded	Mecklenburg	Hunter, Jr.
10-292-1	The Travelers Indemnity Company v Wall, Wall & Knudson, Ltd. (Civil) <b>Decision:</b> Dismissed	Mecklenburg	Bryant
10-392-1	Rankin v Food Lion, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV
10-715-1	The City of Charlotte v Williams (Civil) <b>Decision:</b> Remanded	Mecklenburg	Stephens
10-896-1	Universal Insurance Company v Patterson, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Thigpen, Jr.
10-398-1	Deans v Mansfield, et al (Civil) <b>Decision:</b> Reversed	Moore	Steelman
10-39-1	Evans v Hendrick Automotive Group, et al (Civil) <b>Decision:</b> Dismissed	N.C. Industrial Commission	Stroud
10-540-1	Busque v Mid-America Apartment Communities (Civil) <b>Decision:</b> Plaintiff's Appeal--Affirmed. Defendants' Appeal--Reversed.	N.C. Industrial Commission	Martin
10-879-1	Ammons v Goodyear Tire, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Stephens
10-952-1	Bell v Hype Manufacturing, LLC, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Stephens
09-1647-1	Pass v Beck (Civil) <b>Decision:</b> Affirm	New Hanover	Stroud
10-284-1	Webb v Price (Civil) <b>Decision:</b> Dismissed	New Hanover	Stroud
10-1074-1	In The Matter Of: J.V.J. (Juvenile - Criminal) <b>Decision:</b> Remanded	Orange	Stephens
10-536-1	Lamm v Lamm (Civil) <b>Decision:</b> Affirmed	Pasquotank	Elmore
10-538-1	State v Patterson (Criminal) <b>Decision:</b> No Error	Randolph	Stephens
10-648-1	State v Carter (Criminal) <b>Decision:</b> No Error	Randolph	Martin
10-286-1	State v Buddington (Criminal) <b>Decision:</b> Reversed	Rockingham	Stroud

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09-1586-1	State v Eaton (Criminal) <b>Decision:</b> Affirm trial court's order and judgment; remand for correction of the clerical error	Rowan	Stroud
10-798-1	State v Gillespie (Criminal) <b>Decision:</b> Affirmed	Rowan	Steelman
10-456-1	State v McNeil (Criminal) <b>Decision:</b> Judgment arrested in part, no error in part, and vacated and remanded in part.	Sampson	Calabria
10-84-1	State v Green (Criminal) <b>Decision:</b> No Error	Wake	Bryant

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10-1043-1	Griffith v NC Department of Correction, et al (Civil) <b>Decision:</b> Affirmed	Anson 10CVS150	Calabria Donna Stroud(c)
10-874-1	Lucas v R.K. Lock And Associates, et al (Civil) <b>Decision:</b> Dismissed in part and vacated in part	Bladen 08CVD884	McGee
10-875-1	Harrison v Aegis Corporation, et al (Civil) <b>Decision:</b> Dismissed in part and vacated in part	Bladen 08CVD885	McGee
10-891-1	Hunt v R.K. Lock And Associates, et al (Civil) <b>Decision:</b> Dismissed in part and vacated in part	Bladen 08CVD883	McGee
10-768-1	State v Rout (Criminal) <b>Decision:</b> Affirmed	Buncombe 09CRS59273-74,09CRS685	Beasley
10-796-1	State v Griffin (Criminal) <b>Decision:</b> No Error	Buncombe 08CRS54104,09CRS126	Ervin, IV
10-855-1	State v Massey (Criminal) <b>Decision:</b> Affirmed	Cabarrus 07CRS52862,09CRS9767	Beasley
10-898-1	State v Davis (Criminal) <b>Decision:</b> No error in part; remanded.	Cleveland 08CRS4379,08CRS55445	Hunter, Jr.
10-1141-1	Russ v Russ (Civil) <b>Decision:</b> Appeal dismissed	Cumberland 09CVS9852	Bryant
10-740-1	State v Streater (Criminal) <b>Decision:</b> No error in part; Vacated in part	Davidson 06CRS3229	Beasley
10-1026-1	State v Owens (Criminal) <b>Decision:</b> No Error	Davidson 09CRS52382	Beasley
10-600-1	State v Uzzelle (Criminal) <b>Decision:</b> No Error	Durham 05CRS47403-04	Hunter
10-827-1	State v Bailey (Criminal) <b>Decision:</b> No Error	Durham 09CRS40095,09CRS4310	Beasley
10-841-1	State v Graham (Criminal) <b>Decision:</b> No Error	Forsyth 07CRS60435,08CRS8912	Bryant
10-904-1	State v Byers (Criminal) <b>Decision:</b> No Error	Forsyth 07CRS59506	Ervin, IV

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10-465-1	State v Williams (Criminal)  <b>Decision:</b> No error in part, dismissed in part	Gaston 06CRS68475,08CRS99-27,06CRS68478,06CRS68483,06CRS68683	Bryant
10-890-1	State v Weathers (Criminal)  <b>Decision:</b> Affirmed	Gaston 07CRS68318,07CRS69-942-45	Ervin, IV
10-908-1	In Re: N.R.B., Z.R.B., A.A.B. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Gaston 08JT150-152	Steelman
10-1007-1	State v Watterson (Criminal)  <b>Decision:</b> No Error	Gaston 09CRS2178,09CRS510-51-52	McCullough
10-507-1	Phillips And Jordan Investment., et al v Greun Madainn, Inc., et al (Civil)  <b>Decision:</b> Affirmed	Graham 06CVS26	Beasley
10-909-1	State v Bryant (Criminal)  <b>Decision:</b> No Error	Guilford 09CRS88433	Beasley
10-973-1	State v Bardney (Criminal)  <b>Decision:</b> No prejudicial error	Henderson 08CRS53306,09CRS1321	Stephens
10-992-1	White, et al v Northwest Property Group-Hendersonville (Civil)  <b>Decision:</b> Appeal dismissed	Henderson 09CVS938	McCullough
10-554-1	State v Stanley (Criminal)  <b>Decision:</b> Appeal dismissed, petition for certiorari denied	Lenoir 09CRS50436	Ervin, IV
10-318-1	State v Ford (Criminal)  <b>Decision:</b> Affirmed	Mecklenburg 07CRS62003,07CRS23-2534-41,07CRS229866	Ervin, IV
10-469-1	River Run Limited Partnership v Equus Merda, Inc., et al (Civil)  <b>Decision:</b> Affirmed	Mecklenburg 08CVS1438	Beasley
10-643-1	State v Kerley (Criminal)  <b>Decision:</b> Vacated	Mecklenburg 08CRS13223	Elmore
10-756-1	State v Sloan (Criminal)  <b>Decision:</b> REMANDED FOR RESENTENCING IN PART; NO ERROR IN PART	Mecklenburg 09CRS204182-83,09CRS204186-87,09CRS24362	Beasley
10-799-1	State v Ford (Criminal)  <b>Decision:</b> No Error	Mecklenburg 09CRS201759-60,09CRS25799	Beasley
10-809-1	State v Lasane (Criminal)	Mecklenburg 09CRS17717-18	Ervin, IV

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	<b>Decision:</b> Affirmed		
10-1057-1	In The Matter Of: I.C. (Juvenile - 3.1)	Mecklenburg 08JT481	Ervin, IV
	<b>Decision:</b> Affirmed		
10-975-1	Hodges v Young, et al (Civil)	Moore 09CVD1481	Stephens
	<b>Decision:</b> Affirmed in Part and Reversed in Part		
10-721-1	Lewis v New Hanover County Schools, et al (Civil)	N.C. Industrial Commission 811680	Ervin, IV
	<b>Decision:</b> Affirmed		
10-585-1	Weaver's Asphalt And Maintenance Company v Williams, et al (Civil)	Nash 09CVS206	Beasley
	<b>Decision:</b> Affirmed in part; Remanded in part		
09-1478-1	State v Dobbs (Criminal)	Onslow 08CRS54627-30	Geer
	<b>Decision:</b> No Error		
10-355-1	State v Dowsing (Criminal)	Onslow 08CRS55423,08CRS51890	Hunter, Jr.
	<b>Decision:</b> No error in part, vacated in part, and remanded.		
10-691-1	State v Pierce (Criminal)	Onslow 08CRS55854,09CRS13-38-39	Martin
	<b>Decision:</b> No Error		
10-925-1	State v Sullivan (Criminal)	Pender 09CRS568-570	Bryant
	<b>Decision:</b> No Error		
10-555-1	State v Harris (Criminal)	Pitt 07CRS55832	Ervin, IV
	<b>Decision:</b> Affirmed		
10-942-1	Ward v Deal Care Inn, Inc., et al (Civil)	Rowan 09CVS1078	McCullough
	<b>Decision:</b> Dismissed		
10-1183-1	In The Matter Of: C.J.M. (Juvenile - Criminal)	Sampson 07JB40	Martin
	<b>Decision:</b> Reversed and Remanded		
10-1054-1	In Re: J.S. and A.S. (Juvenile - 3.1)	Stokes 08JT23-24	Steelman
	<b>Decision:</b> Affirmed		
10-986-1	State v Lowery (Criminal)	Union 08CRS53459-60	Beasley
	<b>Decision:</b> No Error		
10-1177-1	Hutson v Thalacker (Civil)	Union 09CVS938	McCullough
	<b>Decision:</b> Affirmed		
10-535-1	Oak Health Care Investors of NC, Inc., et al v Johnson (Civil)	Wake 08CVS3715,09CVS691-8,05CVS3411	Beasley
	<b>Decision:</b> Dismissed in part; Affirmed in part		

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10-544-1	State v Bright (Criminal)  <b>Decision:</b> No Error	Wake 09CRS7878-81,09CRS-7883,09CRS7871-72,0-9CRS7889-94	Beasley
10-675-1	State v Jordan (Criminal)  <b>Decision:</b> No Error	Wake 06CRS64112-15	Beasley
10-830-1	State v Holmes (Criminal)  <b>Decision:</b> No Error	Wake 08CRS23115,08CRS68810	Ervin, IV
10-872-1	State v Cady (Criminal)  <b>Decision:</b> Dismissed in part; No error in part	Wake 08CRS43750,08CRS58-011-14	Beasley
10-1024-1	Sutton v Bender (Civil)  <b>Decision:</b> Affirmed	Wake 09CVD2474	McCullough
10-556-1	State v Leyshon (Criminal)  <b>Decision:</b> No Error	Watauga 08CRS51720	Beasley
10-1039-1	In The Matter Of: J.P. (Juvenile - 3.1)  <b>Decision:</b> Affirmed in Part and Remanded for Further Proceedings in Part	Watauga 06J41	Ervin, IV