

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**

**(FILED 5 APRIL 2011)**  
**(MANDATE 25 APRIL 2011)**

Docket #	Title	County	Judge
10-1157-1	Griffith v NC Dept. of Correction, et al (Civil) <b>Decision:</b> Affirmed	Anson	McCullough
10-1172-1	State v Woodard (Criminal) <b>Decision:</b> No Error	Avery	McCullough
10-307-1	State v Gray (Criminal) <b>Decision:</b> New Trial	Cleveland	McGee
10-431-1	State v Oliver (Criminal) <b>Decision:</b> No error in part; vacated in part; remanded	Cleveland	Bryant
10-794-1	State v Wright (Criminal) <b>Decision:</b> No Error in Part; Dismissed in Part	Durham	Steelman
10-341-1	Fox v Sara Lee Corporation, et al (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Forsyth	McGee
10-101-1	Dafford v JP Steakhouse LLC, et al (Civil) <b>Decision:</b> Affirmed in part; Dismissed in part	Harnett	Stroud
10-1232-1	Wellikoff v Progress Development Corp., et al (Civil) <b>Decision:</b> Dismissed in part, affirmed in part, remanded in part	Henderson	McCullough
10-210-1	State v Neal (Criminal) <b>Decision:</b> Remanded	Mecklenburg	Geer
10-745-1	SPX Corporation v Liberty Mutual, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
10-580-1	Spears v Betsy Johnson Memorial Hospital, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Hunter
10-638-1	Shepherd v National Federation, et al (Civil) <b>Decision:</b> Reversed and Remanded	N.C. Industrial Commission	Elmore
10-694-1	Diaz v Smith, et al (Civil) <b>Decision:</b> Reversed and Remanded	N.C. Industrial Commission	Hunter
10-553-1	Builders Mutual Insurance Company v Mitchell, et al (Civil) <b>Decision:</b> Reversed and Remanded	New Hanover	Hunter, Jr.
10-1275-1	In The Matter Of: Marathon Holdings, LLC (Civil) <b>Decision:</b> Affirmed	Property Tax Commission	Stephens

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10-591-1	Apac-Atlantic, Inc. v City of Salisbury, et al (Civil) <b>Decision:</b> Affirmed	Rowan	Martin
10-679-1	In The Matter Of: K.L.D. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Sampson	Bryant
10-639-1	Quesinberry v Quesinberry (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Surry	Martin
10-189-1	State v Sneed (Criminal) <b>Decision:</b> No Error	Wake	Geer
10-515-1	S.T. Wooten Corporation v Board of Adjustment of The Town of Zebulon (Civil) <b>Decision:</b> Reversed and Remanded	Wake	Beasley
10-525-1	Cleveland Construction, Inc. v Ellis-Don Construction, Inc., et al (Civil) <b>Decision:</b> Affirmed in Part and Reversed in Part	Wake	Hunter
10-832-1	Saine, et al v State of NC, et al (Civil) <b>Decision:</b> Affirmed	Wake	Hunter

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10-998-1	State v Smith (Criminal)	Buncombe 09CRS304 09CRS323 09CRS55530-31 09CRS55533-35	Bryant
	<b>Decision:</b> No error in part; dismissed without prejudice in part, remanded for correction of clerical error		
10-1326-1	In The Matter Of: B.G.C. and G.J.C. (Juvenile - 3.1)	Buncombe 08JT416-417	Beasley
	<b>Decision:</b> Affirmed		
10-1345-1	In The Matters Of: T.A.D. and A.M.D. (Juvenile - 3.1)	Burke 04J150-151	Beasley
	<b>Decision:</b> Affirmed		
10-562-1	State v Bonds (Criminal)	Catawba 08CRS51599-600	Calabria
	<b>Decision:</b> No Error		
10-656-1	State v Hayes (Criminal)	Craven 08CRS1520	McGee
	<b>Decision:</b> No Error		
10-262-1	State v Truesdale (Criminal)	Cumberland 05CRS64176	Geer
	<b>Decision:</b> No Error		
10-726-1	Tucker v Fayetteville State University, et al (Civil)	Cumberland 09CVS12084	Steelman
	<b>Decision:</b> Reversed and Remanded		
10-698-1	Engell, et al v Bayside Realty, Inc., et al (Civil)	Dare 07CVS20	Steelman
	<b>Decision:</b> Dismissed		
10-134-1	State v Maynard (Criminal)	Davidson 08CRS51433-36	Geer
	<b>Decision:</b> No Error		
10-712-1	State v Bordeaux (Criminal)	Edgecombe 08CRS53260	Stephens
	<b>Decision:</b> No Error		
10-774-1	In The Matter Of The Estate Of: Slick (Civil)	Forsyth 07E920	Martin
	<b>Decision:</b> Affirmed		
10-1297-1	In Re: C.R.C. and R.R.C. (Juvenile - 3.1)	Gaston 07JT162-163	Thigpen, Jr.
	<b>Decision:</b> Affirmed		
10-1035-1	State v Czyzewski (Criminal)	Greene 06CRS50039	McCullough
	<b>Decision:</b> Vacated		
10-561-1	Taylor v Sandbank (Civil)	Guilford 09CVS7216	Calabria
	<b>Decision:</b> Reversed		
10-729-1	Henry James Bar-Be-Que, Inc. v Gilmore (Civil)	Guilford 08CVS7912	McGee
	<b>Decision:</b> Affirmed		
10-961-1	State v Cody (Criminal)	Guilford 07CRS109840 07CRS109843	McCullough

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	<b>Decision: No Error</b>		
10-1124-1	State v Kaley (Criminal)	Guilford 09CRS80644 09CRS80647 09CRS80648-49	Stephens
	<b>Decision: No Error</b>		
10-1153-1	In The Matter Of: M.R.L., III (Juvenile - 3.1)	Haywood 09JT30	Thigpen, Jr.
	<b>Decision: Affirmed</b>		
10-856-1	Mauro v Mooney, et al (Civil)	Henderson 08CVS141	Bryant
	<b>Decision: Affirmed</b>		
10-1397-1	In The Matter Of: A.C.N.B. (Juvenile - 3.1)	Iredell 08JT74	Stroud
	<b>Decision: Affirmed</b>		
10-934-1	State v Poteat (Criminal)	Lincoln 07CRS50220	Calabria
	<b>Decision: No Error</b>		
10-759-1	Espinosa Construction, LLC v Gibbs (Civil)	Madison 08CVD326	Steelman
	<b>Decision: Affirmed</b>		
10-599-1	Long v Gateway Communities, LLC, et al (Civil)	Mecklenburg 09CVS4268	Calabria
	<b>Decision: Affirmed</b>		
10-763-1	Mullis, et al v Southeast Renal Associates, et al (Civil)	Mecklenburg 08CVS16073	Martin
	<b>Decision: Dismissed</b>		
10-804-1	State v Payton (Criminal)	Mecklenburg 06CRS213297-98	Bryant
	<b>Decision: Affirmed</b>		
10-1060-1	State v Sealy (Criminal)	Moore 08CRS5590 09CRS3491	Bryant
	<b>Decision: No Error</b>		
10-607-1	Steele v Surry County, et al (Civil)	N.C. Industrial Commission 786901	Steelman
	<b>Decision: Affirmed</b>		
10-895-1	Reid v Hospira, Inc., et al (Civil)	N.C. Industrial Commission 823914	Hunter
	<b>Decision: Affirmed</b>		
10-1127-1	In The Matter Of: J.B. (Juvenile - 3.1)	New Hanover 08JA99	Stroud
	<b>Decision: Affirmed in part; Remanded in part</b>		
10-1425-1	In The Matter Of: C.W. and C.W. (Juvenile - 3.1)	New Hanover 09JT49-50	Beasley
	<b>Decision: Affirmed</b>		
10-1208-1	In The Matter Of: A.M.B. (Juvenile - 3.1)	Randolph 07JT123	Beasley
	<b>Decision: Affirmed</b>		
10-1271-1	Wright v Oakley (Civil)	Rowan 08CVS4035	Martin
	<b>Decision: Dismissed</b>		

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10-482-1	State v Rippy (Criminal) <b>Decision:</b> No Error	Rutherford 08CRS110	Hunter, Jr.
10-1139-1	In Re: P.C.L., H.D.L., D.T.L., and D.D.D.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Stokes 08JT17 08JT18 08JT19 09JT13	McCullough
10-603-1	State v Hemphill (Criminal) <b>Decision:</b> No Prejudicial Error	Transylvania 09CRS1306 09CRS51147-48	Hunter
10-492-1	Ji v Gaskins (Civil) <b>Decision:</b> Dismissed	Wake 08CVS21972	Per Curiam
10-1365-1	In The Matters Of: A.C.R. and K.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Yancey 09J18-19	McCullough