

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 3 MAY 2011)**  
**(MANDATE 23 MAY 2011)**

Docket #	Title	County	Judge
10-750-1	Sanchez v Town of Beaufort, et al (Civil) <b>Decision:</b> Affirmed	Carteret	Calabria
10-1163-1	State v Green (Criminal) <b>Decision:</b> Affirmed	Chatham	Stephens
10-981-1	In The Matter Of: J.S.W. (Juvenile - Criminal) <b>Decision:</b> No Error	Cumberland	Martin
10-476-1	State v Howell (Criminal) <b>Decision:</b> Vacated and Remanded	Forsyth	McGee
10-645-1	B. Kelley Enterprises, Inc. v Vitacost.com, Inc. (Civil) <b>Decision:</b> Reversed and Remanded	Forsyth	McGee
10-926-1	Stewart v Hodge (Civil) <b>Decision:</b> Reversed and Remanded	Gaston	Ervin, IV
10-1229-1	D.P. Solutions, Inc. v Xplore-Tech Services, et al (Civil) <b>Decision:</b> Affirmed	Guilford	Thigpen, Jr.
10-361-1	In The Matter Of The Foreclosure: Gilbert (Civil) <b>Decision:</b> Reversed	Hyde	Hunter, Jr.
10-1313-1	State v Stevenson (Criminal) <b>Decision:</b> No prejudicial error.	Iredell	Stephens
09-1693-1	State v Brown (Criminal) <b>Decision:</b> No prejudicial error at trial. SBM order affirmed.	Jackson	Stephens Robert N. Hunter, Jr. (d)
10-1258-1	State v Goode (Criminal) <b>Decision:</b> Affirmed	Johnston	Martin
10-478-1	Stinchcomb v Presbyterian Medical Care Corp., et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stephens
10-843-1	Stinchcomb v Presbyterian Medical Care, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stephens
09-1278-1	Eastern Carolina v NC Dept. of Health (Civil) <b>Decision:</b> Affirmed	N.C. Dept. of Health & Human Svcs	Ervin, IV
10-805-1	Puckett v Norandal USA, Inc., et al (Civil) <b>Decision:</b> Reversed and Remanded	N.C. Industrial Commission	Ervin, IV

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10-491-1	Estate of Williams v Pasquotank County Parks & Recreation Dept. (Civil) <b>Decision:</b> Affirmed	Pasquotank	Stroud
10-666-1	State v Hunt (Criminal) <b>Decision:</b> Vacated	Randolph	Stroud
10-550-1	Gentry, ex rel v Big Creek Underground Utilities, Inc., et al (Civil) <b>Decision:</b> Affirmed	Surry	Stroud
10-113-1	State v Debiase (Criminal) <b>Decision:</b> New Trial	Transylvania	Ervin, IV
10-583-1	Harty v Underhill, et al (Civil) <b>Decision:</b> Affirmed	Union	Calabria
10-243-1	Boyce & Isley, et al v Cooper, et al (Civil) <b>Decision:</b> Affirmed	Wake	Beasley
10-496-1	Majewski Enterprises, Inc. v The Parks At Langston, Inc. (Civil) <b>Decision:</b> Affirmed and Remanded	Wake	Beasley
10-557-1	State v Cobos (Criminal) <b>Decision:</b> Judgment arrested in part; no error in part.	Wake	Hunter, Jr. Steelman (c)
10-1144-1	State v Leyshon (Criminal) <b>Decision:</b> Dismissed in part, no error in part.	Watauga	Thigpen, Jr.

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10-1083-1	State v Foust (Criminal)  <b>Decision:</b> No Error	Alamance 09CRS2908 09CRS51385 09CRS51583	Hunter
10-951-1	Joines v Joines (Civil)  <b>Decision:</b> Affirmed	Alleghany 08CVS305	Beasley
10-1495-1	In The Matter Of: S.G., Ka.G., H.G., and Ke.G. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Alleghany 09JA4-7	Stephens
10-953-1	State v Midgette (Criminal)  <b>Decision:</b> No error in part, dismissed in part.	Beaufort 09CRS51520	Calabria
10-594-1	Williamson, ex rel v Windsor House One, LLC, et al (Civil)  <b>Decision:</b> Affirmed	Bertie 09CVS314	Hunter, Jr.
10-820-1	State v Mills (Criminal)  <b>Decision:</b> No Error	Buncombe 08CRS57085 09CRS44-45	Elmore
10-887-1	Treadway v Diez, et al (Civil)  <b>Decision:</b> Affirmed	Buncombe 08CVS6291 08CVS6294	Beasley
10-980-1	State v Clark (Criminal)  <b>Decision:</b> No Error	Buncombe 07CRS52983	Martin
10-1081-1	State v Maxwell (Criminal)  <b>Decision:</b> New trial in part; remanded for resentencing in part	Cabarrus 08CRS52457	Ervin, IV
10-706-1	James v First National Insurance Company of America (Civil)  <b>Decision:</b> Affirmed	Caswell 09CVS115	Calabria
10-479-1	State v Little (Criminal)  <b>Decision:</b> Affirmed	Davidson 08CRS58591	Geer
10-884-1	State v Sebastian (Criminal)  <b>Decision:</b> Affirmed	Davidson 10CRS796-797	Martin
10-949-1	State v White (Criminal)  <b>Decision:</b> Affirmed in part; Dismissed in part	Durham 07CRS52196-97	Beasley
10-1270-1	In Re: D.Z.B. (Juvenile - 3.1)  <b>Decision:</b> Reversed	Edgecombe 08JT143	Martin
10-427-1	State v Orellana (Criminal)  <b>Decision:</b> Affirmed	Forsyth 07CRS30329 05CRS65269	Geer
10-1164-1	State v Bennett (Criminal)	Forsyth 07CRS62260	Stephens

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	<b>Decision:</b> Affirmed		
10-1165-1	State v McIntosh (Criminal)	Forsyth 09CRS60596	Ervin, IV
	<b>Decision:</b> No Error		
10-418-1	State v Roseboro (Criminal)	Guilford 09CRS86302 09CRS82899-900	Geer
	<b>Decision:</b> Vacated and Remanded		
10-826-1	State v Bobbitt (Criminal)	Guilford 08CRS104579-81	Ervin, IV
	<b>Decision:</b> No Error		
10-1391-1	Hunter v Bowden, et al (Civil)	Guilford 10CVS3495	Hunter
	<b>Decision:</b> Dismissed		
10-1392-1	Hunter v Harris, et al (Civil)	Guilford 10CVS3496	Hunter
	<b>Decision:</b> Dismissed		
10-1308-1	In The Matter Of: V.A.S., R.D.S., A.L.S. (Juvenile - 3.1)	Henderson 05JT37-38 08JT69	Bryant
	<b>Decision:</b> Affirmed		
10-1161-1	State v Barnett (Criminal)	Iredell 08CRS57926	Ervin, IV
	<b>Decision:</b> No Error		
10-853-1	State v Camarata (Criminal)	Johnston 07CRS54521	Ervin, IV
	<b>Decision:</b> Affirmed		
10-369-1	Campbell v Campbell (Civil)	Mecklenburg 06CVD2925	Geer
	<b>Decision:</b> Reversed in part; vacated and remanded in part		
10-157-1	State v McLeod (Criminal)	Moore 06CRS5752	Geer
	<b>Decision:</b> Affirmed in part; reversed and remanded in part		
10-615-1	Cory v Debbies Staffing Services, Inc., et al (Civil)	N.C. Industrial Commission 895393	Geer
	<b>Decision:</b> Affirmed		
10-792-1	Colvin v Wake County, et al (Civil)	N.C. Industrial Commission 696584	Elmore
	<b>Decision:</b> Affirmed		
10-901-1	Holden v Brickey Acoustical, Inc. (Civil)	N.C. Industrial Commission 595281	Martin
	<b>Decision:</b> Affirmed in Part, Reversed and remanded in part		
10-1286-1	Smith v Guy C. Lee Building Materials, et al (Civil)	N.C. Industrial Commission 784900 907581	Stephens
	<b>Decision:</b> Affirmed		
10-928-1	Stoneworx, Inc. v Robbins, et al (Civil)	Nash 07CVD1648	Stephens
	<b>Decision:</b> Affirmed		

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10-845-1	State v Flint (Criminal)  <b>Decision:</b> Dismissed	New Hanover 05CRS20449 06CRS54021 06CRS54023	Hunter, Jr.
10-1131-1	State v Smith (Criminal)  <b>Decision:</b> No Error	Pitt 09CRS6643-44 09CRS6646-47	Ervin, IV
10-1478-1	In The Matter Of: H.K.L. (Juvenile - 3.1)  <b>Decision:</b> Reversed and remanded in part; affirmed in part	Randolph 07JA206	Bryant
10-1016-1	Vickers v Street (Civil)  <b>Decision:</b> Affirmed	Rutherford 08CVS651	Calabria
10-1080-1	State v Davis (Criminal)  <b>Decision:</b> No Error	Sampson 08CRS52018	Ervin, IV
10-746-1	Tri-Arc Food Systems, Inc. v Towns (Civil)  <b>Decision:</b> Affirmed	Wake 09CVS16547	Hunter, Jr.
10-1398-1	In The Matter Of: L.H. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Wake 09JA35	Stephens
10-1215-1	In The Matter Of: J.T.K. (Juvenile - Criminal)  <b>Decision:</b> Affirmed	Wayne 10JB16	Ervin, IV
10-1050-1	State v Haymond (Criminal)  <b>Decision:</b> Affirmed	Wilkes 07CRS50460 08CRS108 08CRS1470-75	Ervin, IV
10-765-1	State v Wilkes (Criminal)  <b>Decision:</b> No Error in Part; Dismissed in Part	Wilson 07CRS54285 07CRS54293 08CRS3568	Beasley
10-1403-1	In The Matter Of: D.T.H. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Yancey 09J22	Martin