

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 JULY 2011)**  
**(MANDATE 25 JULY 2011)**

Docket #	Title	County	Judge
10-878A-8	Labortyt CpinCrvtCctpntu,eyenl <b>Decision:</b> Affirmed	almden	(cCCn)pG
81-8380-8	WnneocctytWGmps,pGHnCftDefCtHGt.CiaECTVCFpfc)CGcvtkGaM u,eyenl <b>Decision:</b> Affirmed	auncoBre	hCCf
81-8378-8	(cpcCtytJSecCtu,fe)eGpnl <b>Decision:</b> pacated and ,emanded	CsmtsmB	,pnpNfep (pGTofHt(cCCn)pGtuHI
81-81w3-8	()ecStytJSecCtu,eyenl <b>Decision:</b> Affirmed in Rartv dismissed in Rart	Cle9elmnd	frpGc
81-710-8	befmFpcfeamtytOo:GtoTtAp-itBCpHtu,eyenl <b>Decision:</b> ,e.ersed and ,emanded	Dm2e	WfyeGvtkg
81-8wAb-8	VMhMvtkkvtd,tytAeRvtCctpntu,eyenl <b>Decision:</b> Affirmed	Dm2e	,pnpNfep
81-811b-8	LrCfitytLrCfitu,eyenl <b>Decision:</b> Affirmed	5o24yts	LahCC
81-8176-8	(cpcCtytzoCtu,fe)eGpnl <b>Decision:</b> Affirmed	5o24yts	(cCFSCGi
81-8w83-8	(cpcCtyt enneG-Cftu,fe)eGpnl <b>Decision:</b> No Error in Rartv .acated in Rartw	hoke	BEGcCf
88-8b-8	kGt.CZtIMAMdMtuzEyCGenCtstKMxl <b>Decision:</b> Affirmed	FcDoGell	,pnpNfep
81-8AA8-8	,oyCGcfrtJooHitACe-SNofSooHvtCctpnty,ecrtoTt,SpfnoccCv Cctpntu,eyenl <b>Decision:</b> ,e.ersed	Fecklenru2g	La,EnnoE-S
81-0vb-8	(aSpCTCfvtCctpntyOo:GtoTtBenniNofoE-Stu,eyenl <b>Decision:</b> Affirmed	f2mnge	frpGc
88-887-8	PfpG-Ct,oEGcrtCRtfCnMtytBp)encoGtu,eyenl <b>Decision:</b> Affirmed	f2mnge	(cCFSCGi
10-8ww7-8	,oNNvtCctpntyOo:GtoTt no:eG-t.oamvtCctpntu,eyenl <b>Decision:</b> NeT Iriaj	Hmtmugm	BEGcCfvtzfm VoGGpt(cfoEHtualteGtFpftcpGHtuHlteG FpfcteGtpitiCFpfpcCtoFeGeoGM
81-881b-8	(cpcCtytAof)pGtu,fe)eGpnl <b>Decision:</b> No Error	Hilke4	LahCC
81-873w-8	(cpcCtyt,nCpfrtu,fe)eGpnl <b>Decision:</b> No Error	Hilke4	OSe-FCGvttzfm



**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 21 JUNE 2011)  
(MANDATE 11 JULY 2011)**

Docket #	Title	County	Judge
10-1235-1	State v Souther (Criminal) <b>Decision:</b> No Error	Ashe 07CRS51868	Hunter
10-1523-1	In The Matter Of: T.M.B., J.J.B., T.D.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Brunswick 08JT60-62	Hunter, Jr.
10-1506-1	State v Stanford (Criminal) <b>Decision:</b> No Error	Cabarrus 09CRS6807-09	McCullough
10-1422-1	Church v Decker (Civil) <b>Decision:</b> Affirmed in Part; Reversed and Remanded in Part; Dismissed in Part	Caldwell 01CVD1391	Ervin, IV
10-1502-1	Church v Decker (Civil) <b>Decision:</b> Affirmed in Part; Reversed and Remanded in Part; Dismissed in Part	Caldwell 01CVD1391	Ervin, IV
10-1328-1	State v Mitchell (Criminal) <b>Decision:</b> No Error	Catawba 09CRS51087	Ervin, IV
10-1393-1	In Re: C.G.M., II (Juvenile - 3.1) <b>Decision:</b> Affirmed	Clay 09JT7	McGee
10-1243-1	Howe v Howe (Civil) <b>Decision:</b> Affirmed	Cleveland 09CVD1971	Bryant
10-1469-1	State v Bellamy (Criminal) <b>Decision:</b> No Error	Columbus 09CRS52119	Steelman
11-48-1	State v Shepherd (Criminal) <b>Decision:</b> Affirmed	Craven 10CRS824	Steelman
10-1429-1	State v Baines (Criminal) <b>Decision:</b> Other; Affirmed in Part; Dismissed in Part; and Remanded to Trial Court for Correction of Clerical Error	Durham 07CRS40815	Steelman
10-782-1	State v Frazier (Criminal) <b>Decision:</b> Affirmed	Forsyth 05CRS55209	Steelman
10-989-1	State v Brent (Criminal) <b>Decision:</b> New Trial	Forsyth 08CRS53477,08CRS8919	Beasley
10-1376-1	State v Thompson (Criminal) <b>Decision:</b> No Error	Forsyth 09CRS26431-32,09C-RS57950	Steelman
10-1471-1	State v Gary (Criminal) <b>Decision:</b> No Error	Forsyth 10CRS50352,10CRS667	Steelman
10-869-1	Lomax Construction, Inc. v Triad Sheet Metal And Mechanical, Inc. (Civil)	Guilford 09CVS10498	Elmore

Docket #	Title	County	Judge
	<b>Decision:</b> Affirmed		
10-914-1	Greensboro Rubber Stamp Co., et al v Southeast Stamp And Sign, et al (Civil)	Guilford 08CVS4819	Stephens
	<b>Decision:</b> Affirmed		
11-61-1	State v Odom (Criminal)	Guilford 07CRS92990	Steelman
	<b>Decision:</b> Affirmed		
10-686-1	State v Harper (Criminal)	Halifax 09CRS53403	Ervin, IV
	<b>Decision:</b> New Trial		
11-106-1	In Re: S.P. (Juvenile - 3.1)	Harnett 09J70	Elmore
	<b>Decision:</b> Affirmed		
10-711-1	Davis v State Farm Mutual Automobile Ins. Co., et al (Civil)	Haywood 08CVS1214	Hunter, Jr.
	<b>Decision:</b> Affirmed		
11-135-1	State v Newman (Criminal)	Haywood 90CRS1218,90CRS1221	McCullough
	<b>Decision:</b> No Error		
10-1423-1	State v Reams (Criminal)	Johnston 09CRS51572	Martin
	<b>Decision:</b> No Error		
10-1278-1	Williams v Chaney (Civil)	Lincoln 08CVD1649	Geer
	<b>Decision:</b> Dismissed		
09-1507-1	State v Ferguson (Criminal)	Mecklenburg 07CRS208926-27	Elmore
	<b>Decision:</b> No prejudicial error. Remanded for new sentencing hearing on restitution.		
10-1277-1	State v Roberts (Criminal)	Mecklenburg 07CRS22140-43	Martin
	<b>Decision:</b> No Error		
10-1305-1	State v Richardson (Criminal)	Mecklenburg 08CRS29385,09CRS35629	Hunter, Jr.
	<b>Decision:</b> No Error		
10-1418-1	State v Fletcher (Criminal)	Moore 09CRS50446-47	Steelman
	<b>Decision:</b> Dismissed		
10-592-1	Adams v Parts Unlimited, et al (Civil)	N.C. Industrial Commission 891600,878401	McGee
	<b>Decision:</b> Affirmed		
10-1017-1	Lee v City Cab of Tarboro (Civil)	N.C. Industrial Commission 786921	Hunter, Jr.
	<b>Decision:</b> Affirmed		
10-1009-1	State v Moore (Criminal)	New Hanover 09CRS57434	Hunter, Jr.
	<b>Decision:</b> No Error		
10-1512-1	Neilon v Commissioner of Motor Vehicles (Civil)	New Hanover 09CVS5604	Ervin, IV

Docket #	Title	County	Judge
	<b>Decision:</b> Reversed and Remanded		
09-62-2	State v Melvin (Criminal)	Onslow 07CRS52897	Hunter
	<b>Decision:</b> No prejudicial error in part, reversed and remanded in part		
10-1041-1	Garland Gourmet Mushrooms v Black Diamond French Truffles, et al (Civil)	Orange 09CVS158	Bryant
	<b>Decision:</b> Dismissed		
10-1426-1	Sessions v Five C's, Inc., et al (Civil)	Pasquotank 10CVS327	Stephens
	<b>Decision:</b> Affirmed		
10-1173-1	State v Hargis (Criminal)	Person 09CRS51635	Steelman
	<b>Decision:</b> Dismissed		
10-769-1	State v Folk (Criminal)	Richmond 07CRS53561	McGee
	<b>Decision:</b> No Error		
11-44-1	State v Taylor (Criminal)	Rockingham 09CRS1979,09CRS53103	Martin
	<b>Decision:</b> No Error		
10-509-1	State v Morrow (Criminal)	Rowan 06CRS50733-34,06C-RS50444	Ervin, IV
	<b>Decision:</b> No Error Concerning Conviction; Motion for Appropriate Relief Denied		
10-529-1	Rajpal v Livingstone College, Inc. (Civil)	Rowan 08CVS2559	McGee
	<b>Decision:</b> Affirmed		
10-1539-1	State v Burke (Criminal)	Rowan 04CRS50675	Steelman
	<b>Decision:</b> Reversed and Remanded		
10-1100-1	State v Blue (Criminal)	Sampson 07CRS51282-83	Bryant
	<b>Decision:</b> No Error		
10-1355-1	State v Treadway (Criminal)	Union 10CRS838	Steelman
	<b>Decision:</b> Dismissed in Part; Affirmed in Part		
10-1176-1	Wynter v County of Wake (Civil)	Wake 10SP1018	Ervin, IV
	<b>Decision:</b> Affirmed in Part and Reversed and Remanded in Part.		
10-1242-1	Smith v Teachers And State Employees Retirement, et al (Civil)	Wake 09CVS1302	Hunter, Jr.
	<b>Decision:</b> Affirmed		
10-1411-1	In The Matter Of: M.D., Jr. (Juvenile - Criminal)	Wake 06JB387	Elmore
	<b>Decision:</b> Affirmed		
11-129-1	In The Matter Of: L.T. (Juvenile - 3.1)	Wake 04JT710	Hunter, Jr.
	<b>Decision:</b> Affirmed		
10-1012-1	State v Sellers (Criminal)	Wayne 09CRS50181	McGee
	<b>Decision:</b> No Error		

Docket #	Title	County	Judge
10-1354-1	TWanda v D&D Technical Services, Inc., et al (Civil) <b>Decision:</b> New Trial	Wayne 09CVS1249	Martin