

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 19 JULY 2011)
(MANDATE 8 AUGUST 2011)

| Docket # | Title | County | Judge |
|-----------|---|-----------|--|
| 10-386-1 | State v Ellison and Treadway (Criminal) Decision: No Error; Remand to Correct Clerical Error. | Ashe | Ervin, IV |
| 10-275-1 | In The Matter Of: T.A.S. (Juvenile - Criminal) Decision: Reversed | Brunswick | Beasley Sanford Steelman (d) Robert Hunter, Jr. (c) |
| 10-1111-1 | Wayne Street Mobile Home Park, LLC v North Brunswick Sanitary District (Civil) Decision: Affirmed | Brunswick | McGee |
| 10-957-1 | Yost, et al v Yost (Civil) Decision: Affirmed in part; reversed and remanded in part | Buncombe | Elmore |
| 10-1098-1 | State v Floyd (Criminal) Decision: Vacated and Remanded | Buncombe | Elmore |
| 10-1105-1 | McKinnon v CV Industries, Inc. (Civil) Decision: Affirmed | Catawba | Hunter, Jr. |
| 10-412-1 | State v Wade and Young (Criminal) Decision: No prejudicial error | Cleveland | Stroud |
| 10-1283-1 | State v Whitley (Criminal) Decision: No Error | Durham | Stroud |
| 10-838-1 | State v Phillpott (Criminal) Decision: No Error | Edgecombe | Stroud Cheri Beasley(c) |
| 10-1274-1 | State v Griffin (Criminal) Decision: No Error | Forsyth | Steelman |
| 10-1319-1 | State v Stephenson (Criminal) Decision: Affirmed | Gaston | Elmore |
| 10-1352-1 | State v Stanley (Criminal) Decision: No Error | Greene | Hunter, Jr. |
| 10-979-1 | Liebes, et al v Guilford County Department of Public Health (Civil) Decision: Affirmed | Guilford | Beasley |
| 10-932-1 | State v Pope (Criminal) Decision: Reversed | Harnett | Steelman |
| 10-943-1 | Stephens v Stephens (Civil) Decision: Affirmed | Harnett | Hunter, Jr. |

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| 10-1498-1 | Danny's Towing, et al v NC Department of Crime Control, et al (Civil) Decision: Vacated in part; remanded in part | Haywood | Stephens |
| 10-689-1 | Powers v Wagner (Civil) Decision: Vacated and Remanded | Johnston | Geer |
| 10-935-1 | State v Banks (Criminal) Decision: No Error | Johnston | Stroud |
| 10-1385-1 | State v Wingate (Criminal) Decision: Affirmed | Lincoln | Hunter |
| 10-1335-1 | State v Sorrow (Criminal) Decision: Vacated and Remanded | McDowell | Calabria |
| 10-718-1 | State v Mungo (Criminal) Decision: No error in part; Dismissed in part | Mecklenburg | Stroud |
| 10-863-1 | Premier Plastic Surgery Center, PLLC, et al v The Board of Adjustment (Civil) Decision: Reversed, in part, and remanded, in part. | Mecklenburg | Hunter, Jr. |
| 10-865-1 | Steiner v Windrow Estates Home Owners Association, Inc. (Civil) Decision: Affirmed | Mecklenburg | Stroud |
| 10-1158-1 | Wachovia Bank National, et al v Superior Construction Corp., et al (Civil) Decision: Reversed and Remanded | Mecklenburg | Ervin, IV |
| 10-1470-1 | State v Carrothers (Criminal) Decision: Affirmed | Mecklenburg | Beasley |
| 10-1479-1 | Braun v Trust Development Group, LLC, et al (Civil) Decision: Affirmed | Mecklenburg | Hunter |
| 10-1175-1 | Norman v Food Lion, et al (Civil) Decision: Reversed | N.C. Industrial Commission | Hunter, Jr. |
| 10-1415-1 | Lipscomb v Mayflower Vehicle Systems, et al (Civil) Decision: Reversed in part, vacated and remanded in part, affirmed in part. | N.C. Industrial Commission | Calabria |
| 10-1589-1 | Strickland v The University of NC at Wilmington, et al (Civil) Decision: Affirmed | N.C. Industrial Commission | Stephens |
| 10-876-1 | Herbert v Marcaccio, et al (Civil) Decision: Affirmed | Nash | Geer |
| 10-814-1 | State v Castillo (Criminal) Decision: No Error | Orange | McGee |
| 11-118-1 | Robinson, et al v Forest Creek Limited Partnership (Civil) Decision: Affirmed | Orange | Stephens |

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| 10-697-1 | Town of Apex v Whitehurst, et al (Civil) Decision: Dismissed | Wake | Stroud |
| 10-1387-1 | State v Leonard (Criminal) Decision: No Error | Wake | Martin |
| 10-920-1 | State v Brown (Criminal) Decision: No Error | Wayne | Stroud |
| 10-1263-1 | State v Lee (Criminal) Decision: No Error | Wayne | Steelman |
| 10-1586-1 | Vanwijk v Professional Nursing Services, Inc. (Civil) Decision: Affirmed | Wayne | McCullough |

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| 10-1194-1 | RS&M Appraisal Services, Inc. v Alamance County, et al (Civil) Decision: Affirmed in Part; Dismissed in Part | Alamance 09CVS1961 | Steelman Cheri Beasley(c) |
| 10-1019-1 | Childress v Concord Hospitality Associates, et al (Civil) Decision: Affirmed in Part and Reversed in Part | Cabarrus 09CVS5351 | Steelman |
| 10-1515-1 | In The Matter Of The Adoption Of: S.K.N. (Civil) Decision: Vacated | Catawba 09SP714 | Elmore |
| 10-1619-1 | In The Matter Of: L.N.H. and L.M.H. (Juvenile - 3.1) Decision: Affirmed | Catawba 10JT55-56 | Calabria |
| 10-1014-1 | Bost Construction Company v Blondy (Civil) Decision: Dismissed | Chatham 09CVS79 | McGee |
| 11-26-1 | In The Matter Of: B.E. and B.E. (Juvenile - 3.1) Decision: Affirmed | Chatham 03JT23 03JT24 | Elmore |
| 10-936-1 | State v Patterson (Criminal) Decision: Vacated and Remanded | Durham 09CRS44052 | Stroud |
| 10-1594-1 | In The Matter Of: D.O.B. (Juvenile - Criminal) Decision: Affirmed; Remanded for correction of clerical error | Durham 09JB227 | Beasley |
| 11-253-1 | In The Matter Of: T.L.L. (Juvenile - 3.1) Decision: Affirmed | Durham 07J126 | McCullough |
| 10-862-1 | The Travelers Indemnity Company v Triple S Marketing Group, Inc. (Civil) Decision: Reversed | Forsyth 06CVS5561 | Elmore Samuel Ervin, IV(c) |
| 10-1443-1 | Merrill Lynch Commercial Finance Corp. v Rush Industries, Inc. (Civil) Decision: Affirmed | Forsyth 09CVS3257 | McGee |
| 10-1267-1 | State v Grier (Criminal) Decision: No Error | Gaston 08CRS12489 08CRS60755 | Hunter |
| 10-1367-1 | Herrin v Herrin (Civil) Decision: Affirmed | Gaston 09CVD6679 | Calabria |
| 10-894-1 | Davis v Green, et al (Civil) Decision: Affirmed | Iredell 07CVS2959 | Steelman |
| 10-1514-1 | Sartori v Patterson (Civil) Decision: Dismissed | Jackson 09CVD285 | Hunter, Jr. |
| 10-1295-1 | State v Barnes (Criminal) Decision: Reversed and vacated. | Johnston 09CRS53341 | Steelman |

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| 11-158-1 | In Re: N.R.D. (Juvenile - 3.1) Decision: Affirmed | Lee 08JT85 | Calabria |
| 11-27-1 | State v LaSalle (Criminal) Decision: Affirmed | Lincoln 09CRS52063 09CRS5766 | Bryant |
| 11-74-1 | State v Cook (Criminal) Decision: No Error | Lincoln 07CRS1 | Ervin, IV |
| 11-164-1 | Williams v Chaney (Civil) Decision: Affirmed | Lincoln 08CVD1649 | McCullough |
| 10-1115-1 | Melvin v Wachovia Bank, N.A. (Civil) Decision: Affirmed | Macon 10SP33 | Geer |
| 10-596-1 | In Re: Fifth Third Bank (Civil) Decision: Dismissed | Mecklenburg 08CVS25531 08CVS25533 09CVS9191 | Calabria |
| 10-1156-1 | State v Davis (Criminal) Decision: No Error | Mecklenburg 06CRS228742-43 | Thigpen, Jr. |
| 10-1233-1 | In Re: Fifth Third Bank (Civil) Decision: Dismissed | Mecklenburg 08CVS25531 08CVS25533 08CVS7804 09CVS4521 09CVS9191 | Calabria |
| 10-1307-1 | State v Ortiz-Zape (Criminal) Decision: Reversed in part; Vacated | Mecklenburg 07CRS222314 | Stroud |
| 10-1413-1 | State v Downey (Criminal) Decision: Affirmed | Mecklenburg 09CRS216106 09CRS216118 09CRS42314 | Steelman |
| 11-38-1 | In The Matter Of: W.G. (Juvenile - 3.1) Decision: Affirmed | Mecklenburg 08JT757 | Elmore |
| 10-770-1 | Johnson v Southern Tire Sales And Service, Inc., et al (Civil) Decision: Affirmed | N.C. Industrial Commission 689047 | McGee |
| 10-1203-1 | Cain v Ingersoll Rand, et al (Civil) Decision: Affirmed in part, vacated in part, and remanded. | N.C. Industrial Commission 194512 | Hunter, Jr. |
| 11-168-1 | Leggett v AAA Cooper Transportation, et al (Civil) Decision: Affirmed | N.C. Industrial Commission 600560 | McCullough |

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| 10-669-1 | Edmondson, et al v The City of Rocky Mount (Civil) Decision: Affirmed | Nash 09CVS286 | Calabria |
| 11-196-1 | In The Matter Of: W.G.S. (Juvenile - 3.1) Decision: Affirmed | Nash 10JT83 | McCullough |
| 10-1386-1 | State v Smith (Criminal) Decision: No Error | Onslow 09CRS54419 | Thigpen, Jr. |
| 10-1106-1 | Derian v Derian (Civil) Decision: Dismissed | Orange 03CVD925 | McGee |
| 10-1240-1 | State v Patterson (Criminal) Decision: Reversed | Richmond 09CRS521-522 | McGee |
| 11-185-1 | In The Matter Of: J.D.S. (Juvenile - Criminal) Decision: Affirmed | Richmond 09JB72 | Beasley |
| 10-1526-1 | State v Hunt (Criminal) Decision: No Error | Robeson 06CRS56449 | Thigpen, Jr. |
| 10-1575-1 | State v Richardson (Criminal) Decision: No Error | Robeson 09CRS51919 | Steelman |
| 10-1311-1 | Erie Insurance Exchange v Woodies Painting, Inc., et al (Civil) Decision: Affirmed | Rowan 08CVS3978 | Steelman |
| 10-1603-1 | State v Nelson (Criminal) Decision: No Error | Rowan 07CRS52448 | Stephens |
| 11-163-1 | In The Matter Of: R.L.T., Jr. (Juvenile - 3.1) Decision: Affirmed | Sampson 06JT52 | Elmore |
| 10-1420-1 | Smith v Smith (Civil) Decision: Affirmed | Union 04CVD483 | Stephens |
| 11-171-1 | State v Sloan (Criminal) Decision: Affirmed | Vance 06CRS52575 | Hunter, Jr. |
| 10-404-1 | Martin v NC State University, et al (Civil) Decision: Dismissed | Wake 09CVS7829 | Beasley |
| 10-840-1 | Harston v Tippet (Civil) Decision: Affirmed | Wake 08CVS4631 | McGee |
| 10-1234-1 | State v Johnson (Criminal) Decision: No error in part; vacated in part; remanded in part. | Wake 08CRS13271-73 08CRS13275-76 08CRS13674-79 08CRS3839 | Hunter, Jr. |

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| 10-1507-1 | State v Baker (Criminal) Decision: Affirmed | Wake 07CRS87923 | Hunter, Jr. |
| 10-1577-1 | State v Gonzales (Criminal) Decision: No Error | Wake 08CRS87609 | Bryant |
| 10-1616-1 | Jones v Russell, et al (Civil) Decision: Affirmed | Wake 08CVD9460 | Calabria |
| 11-73-1 | State v Williams (Criminal) Decision: No prejudicial error | Wayne 08CRS54059 08CRS54068 | Stephens |
| 10-1581-1 | In The Matters Of: H.G., A.H., and C.H. (Juvenile - 3.1) Decision: Affirmed | Yadkin 08J16-18 | Hunter |
| 11-98-1 | In The Matters Of: C.L., D.L., and A.L. (Juvenile - 3.1) Decision: Reversed | Yadkin 10J66-68 | Hunter |