

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 JANUARY 2012)**  
**(MANDATE 6 FEBRUARY 2012)**

Docket #	Title	County	Judge
11-438-1	Cambridge Southport, LLC v Southeast Brunswick (Civil) <b>Decision:</b> Affirmed	Brunswick	McGee
11-634-1	Williamson, et al v Long Leaf Pine, LLC, et al (Civil) <b>Decision:</b> Affirmed	Brunswick	Elmore
11-1116-1	In The Matters Of: A.R.P. and J.B.A.P. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Burke	Stroud
10-1407-1	State v Kidwell (Criminal) <b>Decision:</b> No Error	Durham	Bryant
11-254-1	Carter v TD Ameritrade Holding Corporation, et al (Civil) <b>Decision:</b> Reversed and Remanded	Durham	Martin
11-298-1	Carden v Owle Construction, LLC (Civil) <b>Decision:</b> Affirmed	Durham	McGee
11-718-1	In The Matter Of: T.H. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Durham	McCullough
11-239-2	State v Surratt (Criminal) <b>Decision:</b> No error in part; Dismissed in part	Forsyth	Stroud
10-1103-1	Westmoreland, ex rel v High Point Healthcare, Inc., et al (Civil) <b>Decision:</b> Reversed and Remanded	Guilford	Steelman
11-629-1	Mosqueda, et al v Mosqueda (Civil) <b>Decision:</b> Affirmed in part, Dismissed in part	Guilford	Thigpen, Jr.
11-783-1	In The Matter Of: J.K.C. and J.D.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford	Stroud
11-1186-1	In Re: J.A.P. (Juvenile - 3.1) <b>Decision:</b> Vacated and Remanded	Guilford	Stroud
11-637-1	State v Lee (Criminal) <b>Decision:</b> No prejudicial error	Halifax	McCullough
11-620-1	State v Ballance, et al (Criminal) <b>Decision:</b> No Error	Hyde	Ervin, IV
09-573-2	Day, et al v Brant, et al (Civil) <b>Decision:</b> Reversed	Iredell	Geer

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11-1035-1	State v Sistler (Criminal) <b>Decision:</b> No Error	Johnston	Hunter, Jr.
11-271-1	State v Hammonds (Criminal) <b>Decision:</b> New Trial	Mecklenburg	Geer
11-356-1	State v Matthews (Criminal) <b>Decision:</b> New Trial	Mecklenburg	McGee
11-767-1	State v Cook (Criminal) <b>Decision:</b> No error; Remanded for resentencing	Mecklenburg	Martin
11-770-1	State v Watkins (Criminal) <b>Decision:</b> No error in part; remanded for judgment in part	Mecklenburg	McCullough
11-789-1	Carr v Dept. of Health And Human Services (Civil) <b>Decision:</b> Affirmed in part; Remanded in part	N.C. Industrial Commission	Martin
11-791-1	Coffey, et al v Weyerhaeuser Company (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McCullough
11-805-1	McAdams v Safety Kleen Systems, Inc., et al (Civil) <b>Decision:</b> Remanded	N.C. Industrial Commission	Stroud Wanda Bryant(d)
11-873-1	State v Spencer (Criminal) <b>Decision:</b> No error in part; Dismissed in part	Pasquotank	Stroud
11-580-1	State v Hogan (Criminal) <b>Decision:</b> New Trial	Robeson	Martin
10-1536-1	State v Rico (Criminal) <b>Decision:</b> Vacated and Remanded	Sampson	Calabria Sanford Steelman (c)(d)
11-549-1	Klingstubbins Southeast, Inc. v 301 Hillsborough Street Partners, LLC (Civil) <b>Decision:</b> Reversed	Wake	Stroud Martha Geer (d)
11-811-1	Dominion Radio Supply, Inc. v Colclough (Civil) <b>Decision:</b> Reversed and Remanded	Wake	Elmore
11-647-1	State v Pender (Criminal) <b>Decision:</b> No Error	Wilson	Bryant

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11-823-1	In The Matter Of: J.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Buncombe 10JA360	Steelman
11-1109-1	In The Matters Of: S.R. and E.Q.R. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Burke 08J186-187	Stephens
11-755-1	Reasoner v Reasoner (Civil) <b>Decision:</b> Dismissed	Cabarrus 10CVD1784	Thigpen, Jr.
11-656-1	State v White (Criminal) <b>Decision:</b> No error at trial; remand for correction of clerical errors in judgment	Catawba 08CRS50884,09CRS4322	Stephens
11-1038-1	In The Matter Of: J.S.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Chatham 10JT43	Stroud
11-912-1	Matthews v Community Newspapers, Inc., et al (Civil) <b>Decision:</b> Reversed	Cherokee 10CVS561	Hunter, Jr.
11-741-1	State v Sisk (Criminal) <b>Decision:</b> No Error	Cleveland 10CRS1842,10CRS52244	Stephens
11-660-1	State v Merritt (Criminal) <b>Decision:</b> Affirmed	Cumberland 10CRS17094-98	Stephens
11-664-1	State v Panecka (Criminal) <b>Decision:</b> Dismissed in part; affirmed in part	Cumberland 09CRS16623-24,09CR-S54371-72,09CRS54377	Hunter
11-598-1	Shumaker v Wake Forest University Baptist Medical Center (Civil) <b>Decision:</b> Reversed	Forsyth 10CVS7611	Steelman
11-644-1	In Re: S.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Forsyth 96J69	Steelman
11-762-1	State v Simpson (Criminal) <b>Decision:</b> No Error	Forsyth 10CRS55627	Elmore
11-979-1	State v Oakes (Criminal) <b>Decision:</b> No prejudicial error	Forsyth 10CRS8692,99CRS49353	McCullough
11-287-1	State v Jones (Criminal) <b>Decision:</b> New Trial	Gaston 09CRS62874-75	Beasley
11-678-1	Orban v Wilkie, et al (Civil) <b>Decision:</b> Affirmed	Gaston 11CVS222	Hunter

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11-692-1	State v Payseur (Criminal)  <b>Decision:</b> No error in part; vacated and remanded in part	Gaston 10CRS51643,10CRS51-644,10CRS51797	Stephens
11-901-1	Orban v Wilkie, et al (Civil)  <b>Decision:</b> Affirmed	Gaston 11CVS222	Hunter
11-605-1	State v Wilson (Criminal)  <b>Decision:</b> No Error	Guilford 09CRS23298,09CRS89-562,09CRS90055	Hunter
11-975-1	In The Matter Of: L.M.R. and C.G.R. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Haywood 09JT31-32	Geer
11-1195-1	In The Matter Of: C.L.R. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Haywood 09JT33	Beasley
11-819-1	State v Thomas (Criminal)  <b>Decision:</b> No Error	Hertford 07CRS3544-46	Ervin, IV
11-699-1	State v Luker (Criminal)  <b>Decision:</b> No Error	Jackson 09CRS51335,09CRS851	Stephens
11-1039-1	Wachovia Bank of Delaware, N.A. v Askew (Civil)  <b>Decision:</b> Dismissed	Lenoir 07CVS1902	Calabria
11-680-1	State v Raewkin (Criminal)  <b>Decision:</b> No Error	Lincoln 06CRS52635,07CRS3058	Thigpen, Jr.
11-412-1	State v Davis (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS19240,10CRS20-6456,10CRS206459	Bryant
11-486-1	State v Coleman (Criminal)  <b>Decision:</b> No Error	Mecklenburg 09CRS211845,09CRS21239	Steelman
11-530-1	State v Pegues (Criminal)  <b>Decision:</b> No Error	Mecklenburg 09CRS201806,09CRS2-01817-18	Thigpen, Jr.
11-687-1	Kraus v Wells Fargo Securities, LLC (Civil)  <b>Decision:</b> Affirmed	Mecklenburg 10CVS22122	Thigpen, Jr.
11-763-1	In The Matter Of: C.D. and Z.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Mecklenburg 10JA234	Stephens
11-771-1	Wayne Hood Construction, Inc. v Hennessey (Civil)  <b>Decision:</b> Dismissed	Mecklenburg 10CVS22900	Stephens

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11-909-1	State v Wells (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS217769,10CRS2-17771	Stroud
11-1068-1	State v Caldwell (Criminal)  <b>Decision:</b> No Error	Mecklenburg 08CRS252426,08CRS2-52429	Stroud
11-571-1	Solomon v NC State Veterans Nursing Home-Fayetteville (Civil)  <b>Decision:</b> Affirmed in Part, Remanded in Part	N.C. Industrial Commission 930794	Thigpen, Jr.
11-716-1	Knowles v Wackenhut Corporation, et al (Civil)  <b>Decision:</b> Affirmed in part; reversed and remanded in part	N.C. Industrial Commission 029574	McCullough
11-759-1	Moose v Watkins (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission 804798,PH1959	McCullough
11-653-1	State v Frazier (Criminal)  <b>Decision:</b> No Error	Nash 09CRS54263,09CRS54-281,09CRS54283-85	Steelman
11-778-1	State v Murphy (Criminal)  <b>Decision:</b> Dismissed	Nash 10CRS7108	Hunter, Jr.
11-743-1	Nix v Nix (Civil)  <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	New Hanover 10CVD5646	Hunter, Jr.
11-777-1	Charnoff v Calder, et al (Civil)  <b>Decision:</b> Affirmed	New Hanover 10CVS1586	Stephens
11-705-1	In The Matter Of: G.C. (Juvenile - 3.1)  <b>Decision:</b> Affirmed in part and Reversed in part.	Orange 10JA95	Steelman
11-558-1	State v White (Criminal)  <b>Decision:</b> No Error	Perquimans 08CRS50112,08CRS50113	Hunter
11-1001-1	In Re: M.D.B. and A.B.T. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Richmond 10J103,10J104	Stephens
11-541-1	Apac-Atlantic, Inc. v Firemens Insurance Company (Civil)  <b>Decision:</b> Reversed	Scotland 08CVS792	Thigpen, Jr.
11-943-1	In Re: K.M.M. and B.C.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Stokes 09JT75-76	Beasley
11-719-1	In The Matter Of: K.S. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Vance 08JA109	Geer

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11-368-1	State v Khan (Criminal)  <b>Decision:</b> Affirmed, in part, vacated and remanded' in part	Wake 08CRS85094,10CRS652	Hunter Sanford Steelman(d)
11-616-1	In The Matter Of: Lorenzo Richardson (Civil)  <b>Decision:</b> Affirmed; remanded for correction of order	Wake 10SPC4210	Hunter
11-636-1	State v Goldston (Criminal)  <b>Decision:</b> No Error	Wake 07CRS67090,07CRS67781	Beasley
11-652-1	Caliber Builders, LLC, et al v Waste Water Systems of NC, Inc. (Civil)  <b>Decision:</b> Reversed and Remanded	Wake 08CVS14365,09CVS25419	Thigpen, Jr.
11-654-1	Federated Financial Corporation of America v Jenkins (Civil)  <b>Decision:</b> Affirmed	Wake 09CVS2084	Steelman
11-672-1	State v Lewis (Criminal)  <b>Decision:</b> Affirmed	Wake 07CRS84527	Stephens
11-695-1	State v Barber (Criminal)  <b>Decision:</b> No Error	Wake 09CRS11916	Hunter
11-736-1	State v Parker (Criminal)  <b>Decision:</b> Affirmed	Wake 05CRS27921,08CRS21285	Stephens
11-825-1	State v Daniels and Lottie (Criminal)  <b>Decision:</b> No Error	Wake 09CRS33746-49,09CR-S33839-42,09CRS3384-4,09CRS33917	Stephens
11-838-1	State v Montgomery (Criminal)  <b>Decision:</b> No Error	Wake 09CRS206901	Stephens
11-851-1	In The Matter Of: F.T. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Wake 10JA202	Stephens
11-488-1	State v Young (Criminal)  <b>Decision:</b> No Error	Wayne 08CRS54255	Ervin, IV