

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 7 FEBRUARY 2012)
(MANDATE 27 FEBRUARY 2012)

Docket #	Title	County	Judge
11-757-1	In The Matter Of: Hutchinson (Criminal) Decision: Appeal dismissed; writ of supersedeas and temporary stay dissolved; writ of certiorari granted; trial court's stay dissolved.	Brunswick	Stephens
11-289-1	Blue Ridge Savings Bank, Inc. v Mitchell, et al (Civil) Decision: Affirmed	Buncombe	Elmore Robert N. Hunter, Jr. (d)
11-568-1	State v King (Criminal) Decision: No error in part; new trial on habitual felon status; dismissed in part	Buncombe	Bryant
11-1101-1	Seal Polymer Industries v Med-Express, Inc. (Civil) Decision: Affirmed	Buncombe	Martin
11-1043-1	Fields v McMahan (Civil) Decision: Dismissed	Chatham	Bryant
11-483-1	Greco v Penn National Security Insurance Company, et al (Civil) Decision: Reversed and Remanded	Craven	Elmore Linda Stephens (d)
11-721-1	State v Williams (Civil) Decision: Affirmed	Craven	Beasley
11-758-1	Fort, et al v County of Cumberland, et al (Civil) Decision: Affirmed in Part and Reversed in Part	Cumberland	Hunter
11-619-1	State v Barr (Criminal) Decision: No error in part, judgment arrested in part.	Davidson	Thigpen, Jr.
11-229-1	State v Chapman (Criminal) Decision: Dismissed	Duplin	Elmore
11-905-1	Cox, et al v Roach, et al (Civil) Decision: Affirmed	Forsyth	Stroud
11-526-1	State v King (Criminal) Decision: Vacated in part and reversed in part.	Haywood	Calabria
11-869-1	Johnston County, ex rel v Bugge (Civil) Decision: Affirmed	Johnston	Beasley
11-919-1	State v Holder (Criminal) Decision: No Error	Johnston	McCullough
11-536-1	State v Reynolds (Criminal) Decision: Vacated and remanded for a new trial	Lincoln	McGee

Docket #	Title	County	Judge
11-773-1	State v Burrow (Criminal) Decision: New Trial	Lincoln	Hunter, Jr. Robert C. Hunter (d)
11-532-1	In Re: Fifth Third Bank (Civil) Decision: Affirmed	Mecklenburg	Stephens
11-561-1	State v Adams (Criminal) Decision: No Error	Mecklenburg	Hunter, Jr.
11-1018-1	Procar II, Inc. v Dennis, et al (Civil) Decision: Affirmed	Mecklenburg	Elmore
11-425-1	State v Harrison (Criminal) Decision: No prejudicial error; no plain error	Nash	Elmore
11-531-1	Kenton v Kenton (Civil) Decision: Reversed and vacated	New Hanover	Hunter
11-714-1	Royster v McNamara (Civil) Decision: Reversed and Remanded	Onslow	Ervin, IV
11-689-1	Jones v Whimper (Civil) Decision: Affirmed	Pitt	McCullough Judge Linda McGee (D)
11-540-1	In The Matter Of: Family Tree Farm, LLC (Civil) Decision: Affirmed	Property Tax Commission	Elmore
11-1007-1	In The Matter Of: McLamb (Civil) Decision: Affirmed	Property Tax Commission	Stroud
11-928-1	In Re: J.S.L. (Juvenile - 3.1) Decision: Reversed and Remanded	Robeson	McCullough
11-1055-1	State v Ellerbee (Criminal) Decision: No Error	Robeson	Elmore
11-480-1	State v Reeves (Criminal) Decision: Affirmed in part, vacated in part and remanded for resentencing.	Union	McGee
10-1570-1	42 East, LLC v D.R. Horton, Inc. (Civil) Decision: Vacated and Remanded	Wake	Geer
11-139-1	State v Privette and Smith (Criminal) Decision: No Error in Part, Reversed in Part, Remanded and New Trial in Part.	Wake	Ervin, IV
11-495-1	Muteff v Invacare Corporation, et al (Civil) Decision: No prejudicial error	Wake	McGee
11-874-1	State v Shaw (Criminal) Decision: No Error	Wake	Stephens
11-609-1	State v Cox (Criminal) Decision: Reversed in part; no error in part	Wayne	Elmore

**IN THE
COURT OF APPEALS**

CASES REPORTED WITHOUT PUBLISHED OPINIONS

(FILED 7 FEBRUARY 2012)
(MANDATE 27 FEBRUARY 2012)

Docket #	Title	County	Judge
11-855-1	State v Tyson (Criminal) Decision: No prejudicial error	Beaufort 09CRS754-755	Stephens
11-608-1	Lane v Lane (Civil) Decision: Affirmed in Part; Reversed and Remanded in Part	Bertie 06CVD179	Steelman
11-577-1	Caravantes, et al v Dowless (Civil) Decision: Vacated and Remanded	Bladen 09CVD229	Stephens
11-210-1	Town of Leland v HWW, LLC, et al (Civil) Decision: Affirmed	Brunswick 07CVS2440	Hunter, Jr.
11-584-1	Formyduval, et al v Yeddo, et al (Civil) Decision: Affirmed	Brunswick 09CVS2763	McGee
11-550-1	In The Matter Of: S.C.U. (Juvenile - Criminal) Decision: Affirmed	Buncombe 09JB338	Ervin, IV
11-887-1	State v Kelly (Criminal) Decision: Vacated in Part and Remanded for Resentencing.	Buncombe 10CRS700243	Ervin, IV
11-900-1	In The Matter Of: R.K. (Juvenile - Criminal) Decision: Dismissed	Buncombe 09JB95	Hunter
11-1054-1	State v Fullwood (Criminal) Decision: No Error	Buncombe 09CRS56018-20 09CRS56022	Thigpen, Jr.
11-1161-1	State v Miller (Criminal) Decision: Affirmed	Buncombe 08CRS55739	Hunter
11-993-1	State v Haqq (Criminal) Decision: No Error	Burke 10CRS51132	Ervin, IV
11-566-1	Bowers, et al v Wayne Temple, et al (Civil) Decision: Affirmed	Carteret 10CVS943	Calabria
11-1015-1	State v Grier (Criminal) Decision: No prejudicial error	Cleveland 09CRS54858	Hunter
11-225-1	Jackson, ex rel v ES&J Enterprises, Inc., et al (Civil) Decision: Affirmed	Columbus 09CVS1005	Geer
11-394-1	State v Kahley (Criminal) Decision: No Error	Craven 05CRS53027	Hunter
11-1146-1	In The Matter Of: Z.D.N.T. (Juvenile - 3.1) Decision: Affirmed	Craven 10JA14	Beasley

Docket #	Title	County	Judge
11-939-1	State v Parker (Criminal) Decision: Reversed and Remanded	Duplin 10CRS51330	Ervin, IV
11-478-1	State v Hunter (Criminal) Decision: Affirmed	Durham 10CRS51613	Hunter
11-948-1	Davis, et al v Groff, et al (Civil) Decision: Affirmed	Durham 10CVS3420	McGee
11-1024-1	Davis, et al v Groff, et al (Civil) Decision: Dismissed	Durham 10CVS3420	McGee
11-842-1	State v Gamble (Criminal) Decision: No Prejudicial Error	Edgecombe 10CRS50734-35	Beasley
11-970-1	Bramblett v Bramblett (Civil) Decision: Affirmed	Forsyth 09CVD8611	McCullough
11-1180-1	In The Matter Of: K.K. (Juvenile - 3.1) Decision: Affirmed	Forsyth 09JT166	Bryant
11-960-1	State v Davis (Criminal) Decision: Affirmed	Gaston 08CRS14067-70 08CRS61770-72	Martin
11-1200-1	In The Matter Of: K.D.C.T.J. and K.M.W.J. (Juvenile - 3.1) Decision: Affirmed	Greene 09JT46-47	Martin
11-694-1	State v Davis (Criminal) Decision: No Error	Guilford 09CRS79347 09CRS80159-60 09CRS80162 09CRS80164 09CRS80165-66	Hunter
11-803-1	Panos v Timco Engine Center, Inc. (Civil) Decision: Affirmed	Guilford 06CVS5771	Beasley
11-1010-1	Baker v Baker (Civil) Decision: Affirmed	Guilford 11CVD5329	Thigpen, Jr.
11-562-1	State v Boyd (Criminal) Decision: Dismissed	Halifax 07CRS53267	Ervin, IV
11-987-1	State v Harris (Criminal) Decision: Affirmed	Harnett 09CRS51973 10CRS525	Ervin, IV
11-508-1	Thornton v Stuckey (Civil) Decision: No Error	Johnston 09CVS1636	McGee
11-775-1	Security Credit Corp., et al v Mid/East Acceptance Corp., et al (Civil)	Johnston 10CVS3936	Bryant

Docket #	Title	County	Judge
	Decision: Affirmed		
11-907-1	State v Rogers (Criminal)	Lenoir 09CRS52095 11CRS204	Ervin, IV
	Decision: Affirmed		
11-892-1	State v Needham (Criminal)	Lincoln 09CRS52250 09CRS52252-54	McCullough
	Decision: No error in part; vacate in part		
11-967-1	Allran, et al v Wells Fargo, et al (Civil)	Lincoln 11CVS208	Per Curiam
	Decision: Affirmed		
11-430-1	State v Spruill (Criminal)	Martin 99CRS2182	McGee
	Decision: No prejudicial error		
11-792-1	Dellinger v Barnes (Civil)	McDowell 08CVS1006	McGee
	Decision: Dismissed		
11-442-1	State v Mills (Criminal)	Mecklenburg 09CRS218250 09CRS218252	Calabria
	Decision: No Error		
11-444-1	State v Hudson (Criminal)	Mecklenburg 09CRS201239 09CRS35624	Steelman
	Decision: No Error		
11-463-1	State v Oaks (Criminal)	Mecklenburg 08CRS255465-67 08CRS255469-70	Bryant
	Decision: No Error		
11-510-1	Spanish Moss, LLC, et al v Wachovia, et al (Civil)	Mecklenburg 10CVS7952	Calabria
	Decision: Reversed and Remanded		
11-723-1	In The Matter Of: W.L.M. (Juvenile - Criminal)	Mecklenburg 07JB281	Steelman
	Decision: Affirmed in Part; Vacated and Remanded in Part		
11-858-1	Simpson v Robertson, et al (Civil)	Mecklenburg 10CVS13429	Martin
	Decision: Affirmed		
11-877-1	Remi, et al v Tyrone (Civil)	Mecklenburg 10CVD22726	McCullough
	Decision: Affirmed in Part and Reversed in Part		
11-898-1	State v Johnson (Criminal)	Mecklenburg 10CRS204377-78 10CRS20518	Ervin, IV
	Decision: No Error		
11-474-1	Captran Nevada Corp. v The Kirklin Law Firm (Civil)	Moore 10CVS650	Bryant
	Decision: Affirmed		
11-528-1	State v Brown (Criminal)	Moore 09CRS52522	Ervin, IV
	Decision: Affirmed		

Docket #	Title	County	Judge
11-816-1	Cagle v Marriott/Guilford College/Marriott Claims (Civil) Decision: Affirmed	N.C. Industrial Commission W07827	McCullough
11-828-1	Scotchie v Scotchie Enterprises, Inc., et al (Civil) Decision: Affirmed	N.C. Industrial Commission 889041	Thigpen, Jr.
11-983-1	Lingerfelt v Advance Transportation, Inc., et al (Civil) Decision: Affirmed	N.C. Industrial Commission 120154 PH2200	Martin
11-1052-1	In Re: S.P. (Juvenile - 3.1) Decision: Affirmed	Nash 11JA9	Martin
11-638-1	State v Nettles (Criminal) Decision: No Error	New Hanover 10CRS10172 10CRS57913 10CRS58745	Martin
11-991-1	State v Spearman (Criminal) Decision: Affirmed	New Hanover 10CRS57271	Stroud
11-862-1	State v Webster (Criminal) Decision: No Error	Onslow 10CRS51270 10CRS51543	Elmore
11-952-1	In The Matter Of: A.S.Y. (Juvenile - 3.1) Decision: Affirmed	Orange 08JT101	Bryant
11-557-1	State v Swinson (Criminal) Decision: No Error	Pitt 10CRS53476-77	Hunter
11-1033-1	State v Ore (Criminal) Decision: No prejudicial error.	Pitt 10CRS5340 10CRS54713 10CRS54893	McCullough
11-742-1	State v Cox (Criminal) Decision: No Error	Sampson 10CRS51955	Ervin, IV
11-872-1	State v Swartz (Criminal) Decision: No Error	Surry 07CRS53598-99 07CRS53600-601	Hunter
11-902-1	State v Few (Criminal) Decision: No Error	Transylvania 08CRS52222 08CRS52224 09CRS168	Hunter
11-911-1	Callanan v Walsh (Civil) Decision: Affirmed	Transylvania 01CVD129	McCullough

Docket #	Title	County	Judge
11-1166-1	In Re: V.M.F. (Juvenile - 3.1) Decision: Affirmed in part, reversed and remanded in part	Transylvania 09JA16	McCullough
11-734-1	Mainline Supply Company v Hillcrest Construction, Inc., et al (Civil) Decision: Affirmed	Union 09CVS493	Beasley
11-985-1	State v Stewart (Criminal) Decision: No Error	Union 07CRS53732 08CRS6448	Hunter
11-199-1	McCracken And Amick, Inc., et al v Perdue (Civil) Decision: Affirmed	Wake 10CVS3520	Geer
11-414-1	Bryan Beatty v Charles Jones (Civil) Decision: Affirmed	Wake 08CVS21917	Steelman
11-675-1	Gasper v The Board of Trustees of Halifax Community College, et al (Civil) Decision: Affirmed	Wake 08CVS15288	Hunter, Jr.
11-1006-1	State v Bell (Criminal) Decision: Appeal dismissed; Petition for Writ of Certiorari denied	Wayne 10CRS52610 10CRS6001	Hunter
11-1071-1	In The Matter Of: T.J. (Juvenile - 3.1) Decision: Reversed	Wayne 09JT110	Beasley