

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 16 OCTOBER 2012)**  
**(MANDATE 5 NOVEMBER 2012)**

Docket #	Title	County	Judge
12-356-1	State v Patterson (Criminal) <b>Decision:</b> Remanded for resentencing.	Alamance	Calabria
12-99-2	Thorpe, et al v TJM Ocean Isle Partners LLC, et al (Civil) <b>Decision:</b> Affirmed	Brunswick	Hunter, Jr.
12-258-1	State v Graham (Criminal) <b>Decision:</b> No Error	Cabarrus	Beasley
11-21-2	State v Poole (Criminal) <b>Decision:</b> No plain error in part, dismissed in part.	Carteret	McGee
12-398-1	In The Matter Of: Kill Devil Hills Police Dept. (Civil) <b>Decision:</b> Vacated	Dare	Steelman
12-318-1	Babb, et al v Hoskins, et al (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Forsyth	Martin
12-190-1	State v Pasour (Criminal) <b>Decision:</b> Reversed	Gaston	Beasley
12-254-1	Gary L. Davis, CPA, P.A. v Hall (Civil) <b>Decision:</b> Affirmed	Guilford	Beasley
12-175-1	State v Wilkerson (Criminal) <b>Decision:</b> No Error	Hoke	Beasley
11-1342-1	State v Black (Criminal) <b>Decision:</b> No Error	Lincoln	Geer
12-330-1	State v Okwara (Criminal) <b>Decision:</b> Affirmed in part; Dismissed in part	Mecklenburg	Stephens
12-323-1	State v Miles (Criminal) <b>Decision:</b> No Error	Vance	McCullough
11-1501-1	Poarch v N.C. Department of Crime Control (Civil) <b>Decision:</b> Affirmed	Wake	McCullough
12-397-1	Kirklands Stores, Inc. v Cleveland Gastonia, LLC, et al (Civil) <b>Decision:</b> Affirmed	Wake	Hunter, Jr.

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Docket #	Title	County	Judge
12-437-1	In The Matter Of: R.D. (Juvenile - Criminal) <b>Decision:</b> Affirmed in Part; Reversed and Remanded in Part.	Alamance 11JB85	Thigpen, Jr.
12-108-1	State v Neff (Criminal) <b>Decision:</b> Affirmed	Buncombe 10CRS51797-801 10CRS51804-805 10CRS700213	Stephens
12-404-1	State v Patterson (Criminal) <b>Decision:</b> Affirmed	Cleveland 04CRS54090	Stephens
12-180-1	State v McRae (Criminal) <b>Decision:</b> No prejudicial error in part, no error in part.	Cumberland 06CRS64034	McGee
12-208-1	State v Lejeune (Criminal) <b>Decision:</b> Affirmed	Cumberland 07CRS68729 09CRS50434	Hunter
12-464-1	Bobbitt v Eizenga (Civil) <b>Decision:</b> Vacated and Remanded	Davie 10CVD13	Hunter, Jr.
12-174-1	State v Farrow (Criminal) <b>Decision:</b> No Error	Durham 08CRS44888	Martin
12-376-1	In The Matter Of: Lorenzo Richardson (Civil) <b>Decision:</b> Reversed	Granville 11SPC3017	Hunter
12-225-1	State v McMillian (Criminal) <b>Decision:</b> No Error	Hoke 09CRS52570	Stephens
12-435-1	The Affordable Housing Group, et al v The Town of Mooresville (Civil) <b>Decision:</b> Affirmed	Iredell 11CVS1274	Steelman
12-314-1	State v Dawson (Criminal) <b>Decision:</b> No Error	Lenoir 09CRS54123-24 09CRS54149-50 09CRS54153 09CRS54171-72 09CRS54402 11CRS1073 11CRS897-899	Stephens
11-1476-1	McKyer v McKyer (Civil) <b>Decision:</b> Affirmed	Mecklenburg 00CVD9237	Geer
12-23-1	State v Cunningham (Criminal) <b>Decision:</b> No Error	Mecklenburg 09CRS225452 10CRS64271	Beasley
12-141-1	State v Kelly (Criminal) <b>Decision:</b> No Error	Mecklenburg 09CRS205977	Beasley

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12-261-1	State v Douglas (Criminal)  <b>Decision:</b> No Error	Mecklenburg 11CRS12431 11CRS200440	Stephens
12-311-1	State v Smith (Criminal)  <b>Decision:</b> Appeal Dismissed; petition for writ of certiorari Granted; Reversed and Remanded	Mecklenburg 10CRS254349 11CRS9421	Stephens
12-342-1	State v Keever (Criminal)  <b>Decision:</b> No Error	Mecklenburg 08CRS227700-06 08CRS227712-16 08CRS227720-27	Martin
12-411-1	State v Glover (Criminal)  <b>Decision:</b> No Error as to Trial. Remanded for Re-sentencing.	Mecklenburg 10CRS235005 10CRS235007	Steelman
12-441-1	VC3, Inc. v Vanguard Wireless Technologies, LLC, et al (Civil)  <b>Decision:</b> Dismissed	Mecklenburg 11CVS1495	Calabria
12-218-1	Hudgins v RLB Management, Inc. (Civil)  <b>Decision:</b> Affirmed	Mitchell 08CVS271	Hunter
12-280-1	State v Smith (Criminal)  <b>Decision:</b> Affirmed in part; Reversed and remanded in part	Moore 09CRS50880-83 09CRS50892-93 10CRS474	Stephens
12-312-1	State v Capps (Criminal)  <b>Decision:</b> No Error	Moore 09CRS54948	Stephens
12-426-1	Metts v Metts (Civil)  <b>Decision:</b> Affirmed	New Hanover 08CVD1829	McCullough
11-1577-1	State v Hubbard (Criminal)  <b>Decision:</b> No Error	Onslow 07CRS53167	Hunter
12-113-1	Derian v Derian (Civil)  <b>Decision:</b> Affirmed	Orange 03CVD925	Beasley
12-69-1	In The Matter Of: Brights Creek Lot 71, LLC (Civil)  <b>Decision:</b> Affirmed	Polk 11SP80	Hunter
12-264-1	State v. Barnhill (Criminal)  <b>Decision:</b> Dismissed	Randolph 09CRS56732	Stephens
12-346-1	State v Vasquez and Locklear (Criminal)  <b>Decision:</b> No prejudicial error	Robeson 09CRS55921 09CRS55922	McGee
12-82-1	State v Harvey (Criminal)  <b>Decision:</b> No Error	Sampson 10CRS52009	Hunter

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12-75-1	State v Boyd (Criminal)  <b>Decision:</b> No Error	Scotland 09CRS53274 10CRS439 11CRS224	Calabria
12-192-1	State v Mullis (Criminal)  <b>Decision:</b> No Prejudicial Error	Stanly 08CRS51241	Stephens
11-1381-1	Smith v Smith, et al (Civil)  <b>Decision:</b> Dismissed	Vance 10CVS239	Hunter, Jr.
11-1465-1	Homesield Vinyl Siding & Windows v Parker And Orleans, et al (Civil)  <b>Decision:</b> Vacated	Wake 10CVS7754	Geer
12-309-1	Veitia v Mulshine Builders LLC (Civil)  <b>Decision:</b> Dismissed in part, affirmed in part.	Watauga 10CVS794	Calabria
12-220-1	State v Almogaded (Criminal)  <b>Decision:</b> No Error	Wayne 09CRS54072	Elmore
12-402-1	Fields v City of Goldsboro (Civil)  <b>Decision:</b> Affirmed in part; dismissed in part	Wayne 10CVS2430	Stephens
12-332-1	State v Anderson (Criminal)  <b>Decision:</b> No Error	Wilson 10CRS54299	Steelman