

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 DECEMBER 2012)**  
**(MANDATE 7 JANUARY 2013)**

Docket #	Title	County	Judge
12-561-1	The Town of Sandy Creek v East Coast Contracting, Inc., et al (Civil) <b>Decision:</b> Affirmed	Brunswick	McCullough
12-533-1	King v Brooks, et al (Civil) <b>Decision:</b> Affirmed	Buncombe	Beasley Donna Stroud (concur result only)
12-626-1	Dallaire v Bank of America N.A., et al (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Cabarrus	Beasley
12-614-1	Waterway Drive Property Owners, et al v Town of Cedar Point, et al (Civil) <b>Decision:</b> Affirmed	Carteret	Beasley Donna Stroud (c)(d)
12-45-1	Johnston v State (Civil) <b>Decision:</b> Reversed and Remanded	Caswell	Steelman Cheri Beasley (c)(d)
12-459-1	State v Elmore (Criminal) <b>Decision:</b> No Error	Catawba	McGee
12-449-1	Stark v N.C. Department of Environment, et al (Civil) <b>Decision:</b> Affirmed	Clay	McCullough
12-142-1	State v Redman (Criminal) <b>Decision:</b> No Error in part; Dismissed in part.	Currituck	Thigpen, Jr.
12-484-1	Young v Young (Civil) <b>Decision:</b> Affirmed	Durham	Beasley
12-693-1	Minor v Minor (Civil) <b>Decision:</b> Affirmed	Guilford	Beasley Richard A. Elmore (d)
10-1519-2	In The Matter Of: P.D.R., L.S.R., J.K.R. (Juvenile - 3.1) <b>Decision:</b> Vacated and Remanded	Mecklenburg	Geer
12-201-1	Austin Maintenance And Construction v Crowder Construction, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV
12-412-1	State v Franklin (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Stroud Richard Elmore (d) Cheri Beasley (c)
12-416-1	Grier, et al v Guy, et al (Criminal) <b>Decision:</b> Affirmed in part; dismissed in part	Mecklenburg	McGee
12-458-1	State v Royster (Criminal) <b>Decision:</b> No Error	Mecklenburg	Thigpen, Jr.

Docket #	Title	County	Judge
12-480-1	State v Hester (Criminal) <b>Decision:</b> Dismissed in part; dismissed without prejudice in part	Mecklenburg	Stephens Richard A. Elmore (c)(d)
12-706-1	Pittman v Hyatt Coin And Gun, Inc., et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Beasley
12-716-1	In The Matter Of: Posha Whatley (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Thigpen, Jr.
12-719-1	Jenner, et al v Ecoplus, Inc. (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Stephens
12-169-1	Smith v Denross Contracting, et al (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	N.C. Industrial Commission	Bryant
12-856-1	Boylan v Verizon Wireless, et al (Civil) <b>Decision:</b> Affirmed in part; Reversed and remanded in part	N.C. Industrial Commission	Stroud Cheri Beasley (c)(d)
12-670-1	Cone v Watson (Civil) <b>Decision:</b> Reversed and Remanded	Nash	Stroud
12-517-1	Coderre, et al v Futrell, et al (Civil) <b>Decision:</b> Affirmed	New Hanover	Calabria
12-560-1	Baker v Smith, et al (Civil) <b>Decision:</b> Reversed and Remanded	Pender	Stroud
12-763-1	The City of Rockingham, et al v NC Dept. of Environment, et al (Civil) <b>Decision:</b> Affirmed	Richmond	Beasley
12-804-1	State v Canty (Criminal) <b>Decision:</b> New Trial	Sampson	Beasley
12-651-1	Lewis v Hope (Civil) <b>Decision:</b> Affirmed in part; dismissed in part	Wake	Beasley
12-688-1	State v Randolph (Criminal) <b>Decision:</b> No prejudicial error in part; no error in part.	Wayne	Hunter, Jr.

**IN THE  
COURT OF APPEALS**

**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

**(FILED 18 DECEMBER 2012)  
(MANDATE 7 JANUARY 2013)**

Docket #	Title	County	Judge
12-606-1	In The Matter Of: D.D.H. (Juvenile - 3.1) <b>Decision:</b> Dismissed	Alexander 97JA8	Stroud
12-251-1	State v Owens (Criminal) <b>Decision:</b> No Error	Buncombe 10CRS52760	Geer
12-413-1	State v Arriaga (Criminal) <b>Decision:</b> No Error	Buncombe 98CRS55373	Elmore
12-507-1	State v Patton (Criminal) <b>Decision:</b> Affirmed	Buncombe 07CRS12446 07CRS60506-08 07CRS638	Beasley
12-773-1	State v Debruhl (Criminal) <b>Decision:</b> No error as to trial; remanded for resentencing	Buncombe 10CRS10428 10CRS61555	Stephens
12-506-1	Digh v Digh (Civil) <b>Decision:</b> Affirmed	Burke 98CVD89	Thigpen, Jr.
12-1013-1	In The Matter Of: K.C.H. (Juvenile - 3.1) <b>Decision:</b> Vacated	Caldwell 09J106	Beasley
12-242-1	State v Alexander (Criminal) <b>Decision:</b> Dismissed	Catawba 10CRS57159	Ervin, IV
12-732-1	Bryant And Associates, LLC, et al v Evans (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Clay 11CVS31	Martin
12-446-1	State v Sasser (Criminal) <b>Decision:</b> No Error	Columbus 10CRS51332	Hunter
12-384-1	Woolard v Robertson, et al (Civil) <b>Decision:</b> Affirmed	Craven 11CVS1127	Elmore
12-595-1	State v Darden (Criminal) <b>Decision:</b> No Error	Cumberland 09CRS54594	Stephens
12-743-1	In The Matter Of: L.M.T. & A.M.T. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Cumberland 09JT432-433	Stroud
12-806-1	In The Matter Of: R.J.U., Jr. and C.D.U. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Durham 10J32-33	Beasley
12-510-1	State v Pittman (Criminal) <b>Decision:</b> No Error	Edgecombe 09CRS52989	Elmore

Docket #	Title	County	Judge
11-1305-1	State v Meekins (Criminal)  <b>Decision:</b> Affirmed	Forsyth 07CRS60089 08CRS17229 09CRS51911	Martin
12-360-1	State v Roberts (Criminal)  <b>Decision:</b> No Error	Forsyth 10CRS28980 10CRS58982	Ervin, IV
12-578-1	State v Springs (Criminal)  <b>Decision:</b> Affirmed	Forsyth 02CRS21524 02CRS56074	Beasley
12-654-1	Waughtown Leasing Company, LLC, et al v City of Winston-Salem, et al (Civil)  <b>Decision:</b> Dismissed	Forsyth 10CVS5334	Beasley
12-898-1	North Carolina II LP, et al v Branch Banking And Trust Company (Civil)  <b>Decision:</b> Affirmed	Forsyth 12CVS842	Beasley
12-539-1	IN RE: K.L.T.G. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Gaston 10JT129	Elmore
12-230-1	In The Matter Of: Beauchemin (Civil)  <b>Decision:</b> Affirmed	Jackson 11SP138	Hunter
12-747-1	State v Brooks (Criminal)  <b>Decision:</b> No Error	Johnston 11CRS50226 11CRS607	Beasley
12-460-1	State v Parks (Criminal)  <b>Decision:</b> No plain error	Lincoln 08CRS52519-20 10CRS1137	McGee
12-721-1	In The Matters Of: Y.B., A.B., E.B., N.B., R.B., T.B., Y.D.T.B. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	McDowell 11JA73-79	Elmore
12-302-1	State v McFadden (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS223638 10CRS223640-42	Hunter
12-361-1	State v Glover (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS232289-91	Geer
12-407-1	State v Baird (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS247395	Thigpen, Jr.
12-471-1	Blakeney v University of North Carolina At Charlotte (Civil)  <b>Decision:</b> Affirmed	Mecklenburg 11CVS242	Hunter
12-476-1	State v McDaris (Criminal)  <b>Decision:</b> No prejudicial error	Mecklenburg 09CRS233345 09CRS233346	Bryant Linda McGee (d)

Docket #	Title	County	Judge
12-596-1	State v Williams (Criminal)  <b>Decision:</b> No Error	Mecklenburg 11CRS204129 11CRS30472	Ervin, IV
12-631-1	State v Slaughter (Criminal)  <b>Decision:</b> No Error	Mecklenburg 10CRS205201 10CRS205208	Hunter, Jr.
12-632-1	State v Partida-Rodriguez (Criminal)  <b>Decision:</b> Remand for entry of judgment consistent with this opinion	Mecklenburg 10CRS232530-31	Bryant
12-633-1	State v Wright (Criminal)  <b>Decision:</b> No Error	Mecklenburg 09CRS237182 09CRS237186 09CRS68806	Beasley
12-875-1	In The Matter Of: C.C.B. and T.S.G. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Mecklenburg 09J13-14	Martin
12-557-1	Barr v Goodyear Tire And Rubber Co., et al (Civil)  <b>Decision:</b> Dismissed	N.C. Industrial Commission X57228	Hunter
12-712-1	Sollis v Holman (Civil)  <b>Decision:</b> Affirmed	Onslow 10CVS4815	McCullough
12-791-1	Rayfield Properties, LLC v Business Insurers of The Carolinas, Inc. (Civil)  <b>Decision:</b> Affirmed	Orange 10CVS1834	Beasley
12-613-1	Alcorn v Bland, et al (Civil)  <b>Decision:</b> Affirmed	Pitt 11CVS2063	Hunter, Jr.
12-630-1	In The Matter Of: NC Yadkin House, LLC (Civil)  <b>Decision:</b> Affirmed	Property Tax Commission 10PTC901	Stephens
12-84-1	State v Brown (Criminal)  <b>Decision:</b> No Error	Randolph 08CRS51730	Ervin, IV
12-697-1	State v Bean (Criminal)  <b>Decision:</b> No prejudicial error	Randolph 08CRS56156	Elmore Cheri Beasley (c)
11-1602-1	Copeland v Copeland (Civil)  <b>Decision:</b> Affirmed in part, reversed and remanded in part	Rockingham 09CVD1658	Bryant
12-615-1	In The Matter Of: T.W.B., Jr. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Rockingham 10JT81	Martin
12-765-1	In Re: D.N.W. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Sampson 10JT16	Ervin, IV
12-984-1	In Re: M.L.M. (Juvenile - 3.1)	Sampson 10JT73	Ervin, IV

Docket #	Title	County	Judge
	<b>Decision:</b> Affirmed		
12-730-1	State v Krieger (Criminal)	Stanly 10CRS51356	Thigpen, Jr.
	<b>Decision:</b> No Error		
12-205-1	State v Manson (Criminal)	Vance 10CRS177 10CRS51064	Ervin, IV
	<b>Decision:</b> Affirmed		
11-1420-1	Turner, et al v The Hammocks Beach Corporation, et al (Civil)	Wake 06CVS18173	Bryant
	<b>Decision:</b> Reversed and Remanded		
12-287-1	Broughton v County Commission of Wake County (Civil)	Wake 10CVD20602	Ervin, IV
	<b>Decision:</b> Affirmed		
12-572-1	State v Sorrell (Criminal)	Wake 10CRS207962 11CRS11870	Thigpen, Jr.
	<b>Decision:</b> No Error		
12-584-1	Hamilton v Mortgage Information Services, Inc., et al (Civil)	Wake 08CVS15102	Elmore
	<b>Decision:</b> Affirmed		
12-611-1	Properties of Southern Wake, LLC v The Fidelity Bank, et al (Civil)	Wake 11CVS6373	Stephens
	<b>Decision:</b> Affirmed		