

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 7 MAY 2013)**  
**(MANDATE 28 MAY 2013)**

Docket #	Title	County	Judge
12-1398-1	Ludlum v State (Civil) <b>Decision:</b> Affirmed	Bladen	Elmore
12-1064-1	State v Caudill (Criminal) <b>Decision:</b> No Error	Brunswick	Bryant
12-419-1	State v Greenlee (Criminal) <b>Decision:</b> No Error in Part, Reversed in Part, and Remanded for Resentencing.	Buncombe	Steelman
12-1071-1	The Estate of Donna S. Ray, et al v B. Keith Forgy, M.D., P.A., et al (Civil) <b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded	Burke	Martin
12-1350-1	In the Matter of: Suttles (Civil) <b>Decision:</b> Affirmed	Burke	Hunter, Jr.
12-1268-1	State v Webb (Criminal) <b>Decision:</b> No Error	Craven	Hunter, Jr.
12-1355-1	In Re: A.K.D., O.R.D. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Dare	Hunter, Jr.
12-1484-1	Howard v County of Durham (Civil) <b>Decision:</b> Affirmed	Durham	Stroud
12-1323-1	State v Williams (Criminal) <b>Decision:</b> Reversed and remanded for resentencing	Forsyth	Stroud
12-831-1	State v Torres-Gonzalez (Criminal) <b>Decision:</b> No Error	Guilford	Stephens
12-1179-1	State v Vaughn (Criminal) <b>Decision:</b> New Trial	Guilford	Stephens
12-1297-1	Highland Paving Company, LLC v First Bank, et al (Civil) <b>Decision:</b> Affirmed	Harnett	Stroud Sanford Steelman(c)
12-1005-1	State v Heavner (Criminal) <b>Decision:</b> No Error	Lincoln	Dillon
12-999-1	The State Health Plan v Barnett, et al (Civil) <b>Decision:</b> Affirmed	McDowell	Calabria
12-690-1	Diamond v Charlotte-Mecklenburg County Board of Educ., et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant

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12-1167-1	Revolutionary Concepts, Inc., et al v Clements Walker PLLC, et al (Civil) <b>Decision:</b> Reversed and remanded in part; affirmed in part	Mecklenburg	Hunter
12-1145-1	State v Tindall (Criminal) <b>Decision:</b> Reversed and Remanded	Moore	Calabria
12-1293-1	State v Threadgill (Criminal) <b>Decision:</b> No Error	Moore	Dillon
12-1307-1	Nunn v N.C. Department of Correction (Civil) <b>Decision:</b> Reversed and Remanded	N.C. Industrial Commission	Stroud
12-599-1	State v Norman (Criminal) <b>Decision:</b> No Error	Nash	Bryant
12-812-1	State v Macon (Criminal) <b>Decision:</b> No Error	Orange	Geer
12-1105-1	Bigelow, et al v Town of Chapel Hill, et al (Civil) <b>Decision:</b> Affirmed in part, vacated and remanded in part	Orange	McGee
12-1231-1	State v Gerald (Criminal) <b>Decision:</b> New Trial	Richmond	Stephens
12-485-1	In The Matter Of: C.W.N., Jr. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Robeson	Bryant
12-979-1	State v Thomas (Criminal) <b>Decision:</b> No Error	Rowan	Bryant
12-1127-1	In the Matter of V.C.R. (Juvenile - Criminal) <b>Decision:</b> Reversed	Wake	McCullough Linda Stephens (c)
12-1384-1	Fulmore v Howell, et al (Civil) <b>Decision:</b> Affirmed	Wayne	Stroud

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Docket #	Title	County	Judge
12-1189-1	State v Woods (Criminal) <b>Decision:</b> No Error	Alamance 09CRS55561	Davis
12-1353-1	State v Dickens (Criminal) <b>Decision:</b> No Error	Alamance 09CRS56590-1	McGee
12-1045-1	State v Leavitt (Criminal) <b>Decision:</b> No Error	Alexander 11CRS686	McCullough
12-1146-1	Edwards v Hackney (Civil) <b>Decision:</b> Affirmed	Alleghany 11CVS202	Davis
12-1162-1	In Re: V.C.B. and J.V.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Bertie 07J29 08J23	Steelman
12-739-1	State v Kanapaux (Criminal) <b>Decision:</b> Reversed and Remanded	Brunswick 09CRS53418	Bryant
12-968-1	State v Shelton (Criminal) <b>Decision:</b> No Error	Buncombe 10CRS376 10CRS50887-88 10CRS54432	Steelman
12-728-1	Tuttle v Tuttle (Civil) <b>Decision:</b> Dismissed in part, affirmed in part	Cabarrus 12CVD0977	McGee
12-1437-1	Tuttle v Tuttle (Civil) <b>Decision:</b> Dismissed in part, affirmed in part.	Cabarrus 12CVD977	McGee
12-1306-1	State Board Of Examiners of Plumbing, Heating And Fire v Kanupp, et al (Civil) <b>Decision:</b> Dismissed	Catawba 11CVS1837	Martin
12-952-1	State v Brown (Criminal) <b>Decision:</b> No prejudicial error in part; no error in part.	Cumberland 09CRS63716	Stephens
12-980-1	State v McLaurin (Criminal) <b>Decision:</b> No Error	Cumberland 09CRS59798 09CRS59801	Calabria
12-1050-1	State v Sweatt (Criminal) <b>Decision:</b> No Error	Cumberland 09CRS65181	Calabria
12-1241-1	State v Mayes (Criminal) <b>Decision:</b> Affirmed	Cumberland 08CRS57332 08CRS63626	Steelman
12-1416-1	Carolina Builders, Inc. v Bible Way Community Development Corporation (Civil) <b>Decision:</b> Affirmed	Cumberland 11CVS7622	Hunter, Jr.

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12-1538-1	In The Matter Of: R.L.M. and J.A.M. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Cumberland 08JT175-76 08JT175-176	Hunter, Jr.
12-1393-1	In The Matter Of: J.B., IV and D.B. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Dare 10JA16 10JA17	Stephens
12-1148-1	State v Fuentes (Criminal)  <b>Decision:</b> No Error	Durham 06CRS48821	McCullough
12-1180-1	State v Bynum (Criminal)  <b>Decision:</b> judgment vacated	Durham 08CRS40134	McCullough
12-1302-1	In The Matter Of: E.R. (Juvenile - Criminal)  <b>Decision:</b> Affirmed	Durham 09JB144	McCullough
12-1331-1	Mancuso v City of Durham (Civil)  <b>Decision:</b> Vacated and Remanded	Durham 12CVS2667	Steelman
12-1335-1	State v Kaalund (Criminal)  <b>Decision:</b> No Error	Durham 08CRS50979	Stephens
12-1357-1	Metts v Parkinson (Civil)  <b>Decision:</b> Reversed and Remanded	Durham 10CVS5717	Elmore
12-1026-1	State v Johnson (Criminal)  <b>Decision:</b> No Error	Forsyth 10CRS23595 10CRS53280 10CRS53281	McCullough
12-1409-1	In The Matter Of: J.K.T. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Forsyth 10JT192	Davis
12-733-1	Odugba v Odugba (Civil)  <b>Decision:</b> Reversed and Remanded	Gaston 09CVD7013	Bryant
12-970-1	Embrace Us, Inc. v The Guilford Center For Behavioral Health (Civil)  <b>Decision:</b> Affirmed	Guilford 11CVS11643	Bryant
12-1324-1	State v Kivett (Criminal)  <b>Decision:</b> No Error	Guilford 10CRS76426 10CRS76445 10CRS76447-49	Hunter, Jr.
12-1249-1	State v Lincourt (Criminal)  <b>Decision:</b> Affirmed	Harnett 10CRS2162	McCullough
12-1002-1	Scheerer, et al v Fisher, et al (Civil)  <b>Decision:</b> Affirmed in part; Reversed and New Trial in part	Haywood 08CVS11	Hunter

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12-1345-1	State v Adams (Criminal)	Iredell 10CRS57175 10CRS58162 11CRS1962 11CRS50467	Steelman
	<b>Decision:</b> Affirmed		
12-1077-1	State v Narron (Criminal)	Johnston 10CRS57277 10CRS57284 11CRS4365	Hunter
	<b>Decision:</b> No Error		
12-1420-1	Nall Farm Road, LLC v Watson, et al (Civil)	Macon 10CVS550	Steelman
	<b>Decision:</b> Affirmed		
12-1076-1	State v Martin (Criminal)	Mecklenburg 11CRS208980 11CRS208981 11CRS208983 11CRS211166	McCullough
	<b>Decision:</b> No Error		
12-1120-1	State v Davis (Criminal)	Mecklenburg 10CRS232587-9	Stroud
	<b>Decision:</b> No Error		
12-1191-1	State v Harte (Criminal)	Mecklenburg 09CRS226360 12CRS4664	Hunter, Jr.
	<b>Decision:</b> No Error		
12-1192-1	State v Sanders (Criminal)	Mecklenburg 10CRS231264 10CRS231265	McCullough
	<b>Decision:</b> No Error		
12-1296-1	State v Hopkins (Criminal)	Mecklenburg 11CRS240125 11CRS62790	McCullough
	<b>Decision:</b> No error in part; remanded to correct clerical error		
12-1351-1	State v Fuller (Criminal)	Mecklenburg 11CRS218536	Stroud
	<b>Decision:</b> No Error		
12-830-1	Pinehurst Surgical Clinic, P.A. v DiMichele-Manes (Civil)	Moore 12CVS296	Calabria
	<b>Decision:</b> Reversed and Remanded		
12-899-1	State v Hernandez (Criminal)	Moore 10CRS53979 11CRS559	Elmore
	<b>Decision:</b> Vacated and remanded; new sentencing hearing		
12-1215-1	State v Williamson (Criminal)	Moore 12CRS1028	Steelman
	<b>Decision:</b> Dismissed		
12-1321-1	State v Murchison (Criminal)	Moore 10CRS53284 10CRS53470 11CRS51566	Dillon
	<b>Decision:</b> Reversed		

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12-672-1	Bartlett, et al v Wayne County Board of Education (Civil)  <b>Decision:</b> Affirmed	N.C. Industrial Commission TA-21085 TA-21086 TA-21087	Geer
12-1043-1	Bledsoe v Bledsoe (Civil)  <b>Decision:</b> Dismissed in part and reversed and remanded in part.	New Hanover 07CVD1763	Calabria
12-1122-1	State v Corbett (Criminal)  <b>Decision:</b> No Error; Remand for Resentencing	New Hanover 11CRS54475	Hunter
12-1207-1	In Re: C.S.E. (Juvenile - 3.1)  <b>Decision:</b> Remanded	New Hanover 11JT258	Stephens
12-1218-1	State v Anderson (Criminal)  <b>Decision:</b> No Error	New Hanover 11CRS59303	McCullough
13-28-1	In re: A.C., M.A.C., M.B.J., N.R.J. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	New Hanover 11JT244-247	Dillon
12-1338-1	State v Allen (Criminal)  <b>Decision:</b> Affirmed	Pender 11CRS2309-10	Steelman
12-1477-1	State v Smith (Criminal)  <b>Decision:</b> No Error	Person 11CRS51795	McGee
12-1096-1	State v Grimes (Criminal)  <b>Decision:</b> Affirmed	Pitt 11CRS53007	Steelman
12-1147-1	Thrush v Jones, et al (Civil)  <b>Decision:</b> Reversed and Remanded	Richmond 11CVS1083	McGee
12-1228-1	State v Townsend (Criminal)  <b>Decision:</b> Dismissed in Part, Affirmed in Part	Robeson 02CRS56726	Steelman
12-985-1	State v Hairston (Criminal)  <b>Decision:</b> No Error	Rockingham 11CRS51121 12CRS372	Geer
12-1391-1	In The Matter Of: G.R. (Juvenile - Criminal)  <b>Decision:</b> Vacated and Remanded	Sampson 11JB38	McGee
12-916-1	State v Tarleton (Criminal)  <b>Decision:</b> No Error	Union 04CRS50813 04CRS50815-18 04CRS5427 04CRS5428 04CRS5430	Hunter
12-958-1	FIA Card Services, N.A. v Ashworth (Civil)  <b>Decision:</b> Affirmed	Union 11CVD1156	Geer

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12-910-1	State v McLean (Criminal)	Wake 09CRS208619 09CRS58187	McCullough
	<b>Decision:</b> No Error		
12-1048-1	Arbona v Williams, et al (Civil)	Wake 11CVD11400	Stephens
	<b>Decision:</b> No Error		
12-1343-1	In the Matter of: J.P. (Juvenile - 3.1)	Wake 12JA150	Davis
	<b>Decision:</b> Affirmed		
12-1317-1	State v Price (Criminal)	Wayne 10CRS54814	Steelman
	<b>Decision:</b> Affirmed		