

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 JUNE 2013)**  
**(MANDATE 8 JULY 2013)**

Docket #	Title	County	Judge
12-1257-1	Fox v PGML, LLC, et al (Civil) <b>Decision:</b> Reversed and Remanded	Beaufort	Calabria
12-1541-1	Smith, v Lake Bay E., LLC, (Civil) <b>Decision:</b> Dismissed	Bladen	Stroud
12-996-1	State v Howard (Criminal) <b>Decision:</b> Dismissed	Cabarrus	Steelman Robert N. Hunter, Jr. (d)
12-1334-1	State v Dial (Criminal) <b>Decision:</b> Affirmed	Chatham	Steelman
12-1057-1	Hedgepeth v Lexington State Bank, et al (Civil) <b>Decision:</b> Affirmed	Davidson	Geer
12-1480-1	Halifax Regional Medical Center, Inc. v Brown, et al (Civil) <b>Decision:</b> Affirmed	Duplin	Elmore
12-1314-1	Hackos v Goodman, Allen & Filetti, PLLC, et al (Civil) <b>Decision:</b> Affirmed	Durham	McGee
12-1160-1	Trantham v Michael L. Martin, Inc., et al (Civil) <b>Decision:</b> No error in part, remanded in part with instructions.	Henderson	Martin
12-972-1	State v Cruz Garcia (Criminal) <b>Decision:</b> No Error	Mecklenburg	Geer
12-1410-1	Lumbermans Financial, LLC v Poccia (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Hunter
12-1433-1	Church v Bemis Manufacturing Company, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McGee
13-58-1	King v NC Dept. of Com., Div. of Emp't Sec. (Civil) <b>Decision:</b> Reversed	Northampton	Dillon
12-906-1	Webb, et al v McJas, Inc., et al (Civil) <b>Decision:</b> Affirmed	Pitt	Bryant
13-85-1	Callanan v Walsh (Civil) <b>Decision:</b> Reversed and Remanded	Transylvania	Elmore
12-1173-1	State v Coleman (Criminal) <b>Decision:</b> REVERSED AND REMANDED FOR A NEW TRIAL	Wake	Hunter
12-1175-1	In Re: Whittacre (Civil) <b>Decision:</b> Dismissed	Wake	Geer

Docket #	Title	County	Judge
12-779-1	Bynum v Wilson County, et al (Civil) <b>Decision:</b> Affirmed in Part and Dismissed in Part.	Wilson	Ervin, IV

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**CASES REPORTED WITHOUT PUBLISHED OPINIONS**

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Docket #	Title	County	Judge
12-1449-1	State v Banks (Criminal)	Buncombe 12CR2649,12CR52615,12CR53266	Elmore
	<b>Decision:</b> Affirmed		
12-1559-1	State v Wash. (Criminal)	Cabarrus 11CRS2819,11CRS54108	Elmore
	<b>Decision:</b> Dismissed		
12-1459-1	State v Jones (Criminal)	Craven 10CRS51682	Elmore
	<b>Decision:</b> No error in part; vacated and remanded in part		
12-1337-1	State v Williams (Criminal)	Duplin 11CRS50747-8,11CRS50801	Davis
	<b>Decision:</b> No Error		
12-1440-1	State v Moore (Criminal)	Durham 11CRS55325	Elmore
	<b>Decision:</b> Affirmed		
12-1196-1	State v Hilliard (Criminal)	Edgecombe 12CRS203	Davis
	<b>Decision:</b> Affirmed		
12-817-1	State v Nay (Criminal)	Guilford 11CRS70827,11CRS70829	Geer
	<b>Decision:</b> No Error		
12-1126-1	Gordon v Gordon (Civil)	Guilford 09CVD10832	Ervin, IV
	<b>Decision:</b> Affirmed		
12-1289-1	State v Haizlip (Criminal)	Guilford 11CRS24787,11CRS87052,1-2CRS24119	Elmore
	<b>Decision:</b> No Error		
12-1177-1	In Re: Estate of Livesay (Civil)	Henderson 05CVS2081,05E675	Hunter, Jr.
	<b>Decision:</b> Reversed and Remanded		
12-1256-1	State v Cameron (Criminal)	Johnston 11CRS4381,11CRS54708	Elmore
	<b>Decision:</b> No error; remanded for new sentencing hearing		
12-1451-1	State v Spake (Criminal)	Lincoln 11CRS51570	Elmore
	<b>Decision:</b> No Error		
12-1187-1	State v Askew (Criminal)	Martin 09CRS50322	Calabria
	<b>Decision:</b> No Error		
12-1501-1	State v Williams (Criminal)	Martin 11CRS51406	Elmore
	<b>Decision:</b> No Error		
13-71-1	State v Biggs (Criminal)	Martin 11CRS50553,11CRS50554,1-1CRS50555	Martin
	<b>Decision:</b> No Error		
12-1075-1	State v Coleman (Criminal)	Mecklenburg 09CRS211722,09CRS211724-09CRS21238	Martin

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	<b>Decision:</b> No Error		
12-1217-1	State v Eaves (Criminal)	Mecklenburg 11CRS212659-61	Elmore
	<b>Decision:</b> No error in part, remanded for resentencing		
13-48-1	State v Minter (Criminal)	Mecklenburg 02CRS238861	McGee
	<b>Decision:</b> Affirmed in part, vacated and remanded in part		
13-50-1	State v Hines (Criminal)	Mecklenburg 04CRS206146,04CRS212177	McGee
	<b>Decision:</b> Affirmed		
12-1463-1	Jones v Kidde Technologies, Inc., et al (Civil)	N.C. Industrial Commission X29552	Elmore
	<b>Decision:</b> Affirmed		
12-1074-1	State v Cherry (Criminal)	Nash 11CRS52350	Calabria
	<b>Decision:</b> Remanded		
12-1063-1	State v Royal (Criminal)	New Hanover 11CRS51196	Calabria
	<b>Decision:</b> No Error		
12-1555-1	In re: A.A.J. & S.D.D. (Juvenile - 3.1)	New Hanover 10JT163-164	Geer
	<b>Decision:</b> Affirmed		
12-1572-1	In re: C.J.B. & J.M.B. (Juvenile - 3.1)	New Hanover 11JT187-188	Bryant
	<b>Decision:</b> Reversed		
12-1421-1	Teague, et al v Forbes, et al (Civil)	Pasquotank 10CVS896	Stephens
	<b>Decision:</b> Affirmed		
12-1374-1	Rogers v Smithson (Civil)	Pitt 10CVS3342	McGee
	<b>Decision:</b> Appeal dismissed; writ of mandamus denied		
12-1220-1	State v Connor and Johnson (Criminal)	Robeson 08CRS53451-52	Steelman
	<b>Decision:</b> New Trial		
12-1512-1	Delancey v Delancey (Civil)	Rockingham 11CVD419	McGee
	<b>Decision:</b> Reversed and remanded in part, affirmed in part		
12-956-1	Allen v Allen (Civil)	Rowan 09CVD2113	Bryant
	<b>Decision:</b> Affirmed in part; remanded in part		
12-754-1	State v Parker (Criminal)	Sampson 10CRS52077	Calabria
	<b>Decision:</b> New Trial		
12-1525-1	Bodie v Bodie (Civil)	Transylvania 05CVD334	McGee
	<b>Decision:</b> Affirmed in part, reversed and remanded in part		
13-31-1	State v Broome (Criminal)	Union 09CRS51420	Elmore
	<b>Decision:</b> Affirmed		
13-126-1	Brafford v Brafford (Civil)	Union 09CVD4213	Elmore

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	<b>Decision:</b> Affirmed		
12-1567-1	State v Velasquez-Cardenas (Criminal)	Wake 09CRS203008	Stephens
	<b>Decision:</b> No Prejudicial Error.		
13-84-1	In re: K.P. (Juvenile - 3.1)	Wake 11JA52	Dillon
	<b>Decision:</b> Affirmed, in part; Reversed and Remanded, in part		
12-1222-1	Gunter v Gunter (Civil)	Wayne 12CVD376	Hunter
	<b>Decision:</b> Affirmed		
12-1310-1	State v Randolph (Criminal)	Wayne 10CRS54859	Elmore
	<b>Decision:</b> Reversed and Remanded		
12-1562-1	State v Forte (Criminal)	Wilson 12CRS50233,12CRS50510	Elmore
	<b>Decision:</b> 12 CRS 50233 is reversed in part and remanded for resentencing. We affirm the restitution order but remand for correction of the file number listed thereon. 12 CRS 50233 Judgment and Commitment - Sentence reversed and remanded for resentencing 12 CRS 50233, 50510 Restitution Order - Affirmed; remanded for correction of clerical error 12 CRS 50510 Judgment and Commitment - Appeal dismissed		