

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 AUGUST 2013)**  
**(MANDATE 26 AUGUST 2013)**

Docket #	Title	County	Judge
12-1551-1	Barker v Barker (Civil) <b>Decision:</b> Affirmed	Avery	Calabria Chris Dillon (c)(d)
12-1135-1	Watkins v Watkins (Civil) <b>Decision:</b> Affirmed in Part, Reversed and Remanded in Part.	Buncombe	Dillon
12-1301-1	State v Harwood (Criminal) <b>Decision:</b> Affirmed	Buncombe	Ervin, IV
12-1405-1	State v Summey (Criminal) <b>Decision:</b> No Error, in part, New Trial, in part.	Buncombe	Hunter
12-1486-1	State v Bacon (Criminal) <b>Decision:</b> REVERSED in part, NO ERROR in part, and REMANDED for resentencing.	Buncombe	Hunter
12-1285-1	Hurst, et al v Moorehead I, LLC, et al (Civil) <b>Decision:</b> Affirmed	Cabarrus	McCullough
12-1038-1	Warrender v Gull Harbor Yacht Club, Inc. (Civil) <b>Decision:</b> Affirmed in part; reversed in part, vacated in part, and remanded.	Carteret	Calabria
12-1406-1	State v Wray (Criminal) <b>Decision:</b> No Error	Cleveland	Calabria
12-1210-1	State v McCoy (Criminal) <b>Decision:</b> No Error	Cumberland	Davis
11-229-2	State v Chapman (Criminal) <b>Decision:</b> Vacated and Remanded	Duplin	Elmore
12-1284-1	Izydore v City of Durham, et al (Civil) <b>Decision:</b> Affirmed	Durham	Davis
13-10-1	Simmons v Kross Lieberman & Stone, Inc. (Civil) <b>Decision:</b> Affirmed in Part and Reversed in Part	Durham	Dillon
13-17-1	State v Evans (Criminal) <b>Decision:</b> No Error	Durham	Steelman
13-279-1	In re: D.E.G. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, Vacated in part and Remanded	Haywood	Ervin, IV
12-1404-1	State v Fisher (Criminal) <b>Decision:</b> No Error	Henderson	Ervin, IV

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12-1269-1	State v Pennell (Criminal) <b>Decision:</b> Affirmed in part; vacated and remanded in part; judgment arrested in 09 CRS 53255, larceny after breaking or entering.	Iredell	McGee Martha Geer (c)
12-1582-1	Kelly v Kelly (Civil) <b>Decision:</b> Affirmed	Johnston	Stroud
12-1204-1	Outdoor Lighting Perspectives Franchising, Inc. v Harders, et al (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Ervin, IV
12-1219-1	State v Oliphant and Hamilton (Criminal) <b>Decision:</b> No Error	Mecklenburg	Bryant
12-1266-1	Lendingtree, LLC v Anderson (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Hunter, Jr.
13-63-1	Hamilton v Johnson (Civil) <b>Decision:</b> Vacated	Mecklenburg	Elmore
13-86-1	Yeager, v Yeager, (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Stroud
13-169-1	Grich v Mantelco, LLC (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Elmore
12-1395-1	Lentz v Phils Toy Store, et al (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Bryant
12-1543-1	Tinsley v City of Charlotte (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	McCullough
12-1299-1	Riggings Homeowners, Inc. v Coastal Resources Commission (Civil) <b>Decision:</b> Affirmed	New Hanover	Hunter, Jr. Wanda Bryant (c) (d)
12-1472-1	State v Blackwell (Criminal) <b>Decision:</b> No Error	Person	Davis
13-82-1	Integon Nat'l Ins. Co. v Villafranco, (Civil) <b>Decision:</b> Affirmed	Pitt	Steelman
12-1574-1	State v Martin (Criminal) <b>Decision:</b> New Trial	Polk	Elmore
13-22-1	Time Warner Entm't Advance/Newhouse P'ship v Town of Landis (Civil) <b>Decision:</b> Reversed and Remanded	Rowan	Hunter, Jr.
13-81-1	State v Miller (Criminal) <b>Decision:</b> Reversed and Remanded	Rowan	Hunter
12-1375-1	State v Frady (Criminal) <b>Decision:</b> New Trial	Transylvania	Elmore
12-1247-1	In The Matter Of: Manning (Civil) <b>Decision:</b> Affirmed	Union	Elmore

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12-1530-1	State v Barrett (Criminal) <b>Decision:</b> No error at trial; remanded for correction of clerical error	Union	Bryant
13-55-1	Williams, v Williams, (Civil) <b>Decision:</b> Affirmed	Union	Dillon
12-1382-1	State v Derbyshire (Criminal) <b>Decision:</b> Reversed and Remanded	Wake	Stephens

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12-1557-1	State v Holly (Criminal)  <b>Decision:</b> No Error	Alamance 11CRS50216 11CRS5236	McCullough
13-94-1	State v Lunsford (Criminal)  <b>Decision:</b> No Error	Alamance 09CRS52393	Elmore
12-1315-1	State v Armistead (Criminal)  <b>Decision:</b> No Error	Beaufort 10CRS490 10CRS50147-48	Dillon
12-1347-1	Jackson v Cape Fear Turf Farm, Inc. (Civil)  <b>Decision:</b> Reversed and Remanded	Bladen 08CVD536	Elmore
13-238-1	In re: J.R.L. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Brunswick 10JT135	Martin
13-320-1	In re: A.G.T. (Juvenile - 3.1)  <b>Decision:</b> Affirmed in part, Vacated in part and Remanded	Buncombe 11JA111	Ervin, IV
12-1328-1	State v. Gosnell (Criminal)  <b>Decision:</b> No Error	Caldwell 10CRS51636 11CRS1560	Davis
12-1036-1	Bell And Watson Telecom Consulting Group, Inc., et al v Knaus, et al (Civil)  <b>Decision:</b> Reversed and Remanded	Catawba 11CVS2328	Bryant
13-237-1	In re: J.W. & K.W. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Columbus 09JT28-29	Dillon
12-1265-1	Peery v Hall, et al (Civil)  <b>Decision:</b> Dismissed	Durham 12CVS2000	Geer
12-1464-1	State v Francis (Criminal)  <b>Decision:</b> Dismissed in part; no error in part.	Durham 07CRS46771	McCullough
12-1471-1	County of Durham, ex rel v Roberts (Civil)  <b>Decision:</b> Reversed	Durham 00CVD2860	Geer
12-1520-1	Debaun v Kuszaj, et al (Civil)  <b>Decision:</b> Affirmed	Durham 11CVS3999	Calabria
12-1531-1	State v Waller (Criminal)  <b>Decision:</b> No Error	Durham 11CRS56021	Hunter, Jr.
13-271-1	In re: R.A.M. & M.J.B. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Durham 07JT267-268	Stephens
13-7-1	State v McGriff (Criminal)	Forsyth 10CRS23777 10CRS61429	Ervin, IV

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	<b>Decision:</b> No Error in Part; Vacated in Part and Remanded.		
13-69-1	State v Fraley (Criminal)	Forsyth 10CRS2876 11CRS6166	Calabria
	<b>Decision:</b> No Error		
12-1444-1	State v Rankins (Criminal)	Guilford 10CRS24821 10CRS87287	Hunter, Jr.
	<b>Decision:</b> No Error		
12-1569-1	State v Corrothers (Criminal)	Guilford 10CRS96866-67 11CRS23068	Ervin, IV
	<b>Decision:</b> No Error in Part; Vacated and Remanded in Part		
13-188-1	In re: Q.H. (Juvenile - 3.1)	Guilford 12JA87	Martin
	<b>Decision:</b> Reversed		
12-1130-1	State v. Richardson (Criminal)	Halifax 10CRS53124	Ervin, IV
	<b>Decision:</b> Affirmed		
12-1434-1	State v Adams (Criminal)	Halifax 11CRS50643-44	Hunter
	<b>Decision:</b> No Prejudicial Error, in part, Vacated, in part, and Remanded for Resentencing		
12-1453-1	Daly v Daly (Civil)	Hertford 10CVD414	Hunter
	<b>Decision:</b> Dismissed		
13-93-1	Rabun Cnty. Bank v Earnhardt, (Civil)	Macon 12CVS397	Hunter, Jr.
	<b>Decision:</b> Affirmed		
12-1209-1	State v Karmo (Criminal)	Mecklenburg 08CRS203980	Ervin, IV
	<b>Decision:</b> Vacated		
12-1329-1	State v. Massey (Criminal)	Mecklenburg 09CRS076458	McCullough
	<b>Decision:</b> No Error		
12-1448-1	State v Grice (Criminal)	Mecklenburg 10CRS229305-06 10CRS229312-15	Hunter
	<b>Decision:</b> No Error		
12-1552-1	Parker v Smith (Civil)	Mecklenburg 12CVD7338	Calabria
	<b>Decision:</b> Affirmed		
13-89-1	State v Williams (Criminal)	Mecklenburg 11CRS217702-03	Davis
	<b>Decision:</b> No Prejudicial Error		
13-292-1	In The Matters Of: A.V. & M.V. (Juvenile - 3.1)	Mecklenburg 12JA478-479	Dillon
	<b>Decision:</b> Reversed and Remanded		
13-304-1	In re: M.A.W. (Juvenile - 3.1)	Mecklenburg 11J298	Geer
	<b>Decision:</b> Affirmed		
12-995-1	State v Williams (Criminal)	Moore 10CRS50837	Geer

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	<b>Decision:</b> No Error		
12-1494-1	Branch Banking And Trust Company v Peacock Farm, Inc., et al (Civil)	Moore 11CVS927	Geer
	<b>Decision:</b> Dismissed		
13-130-1	Ferguson v Richard Childress Racing Enters., (Civil)	N.C. Industrial Commission X26821	Hunter, Jr.
	<b>Decision:</b> Affirmed		
13-72-1	In re: A.D. & B.L. (Juvenile - 3.1)	New Hanover 11JA231-232	Geer
	<b>Decision:</b> Affirmed		
12-1364-1	Washburn v Washburn (Civil)	Onslow 11CVD43	Davis
	<b>Decision:</b> Vacated and Remanded		
13-5-1	State v Frazier (Criminal)	Onslow 11CRS57013 11CRS57374	Steelman
	<b>Decision:</b> Dismissed in Part; No error in part.		
12-1527-1	State v Smith (Criminal)	Person 10CRS51388-89	Calabria
	<b>Decision:</b> No Error		
12-943-1	Taft, et al v Dickman, et al (Civil)	Polk 11CVS9	Geer
	<b>Decision:</b> Affirmed		
12-1431-1	In Re: D.N.C. (Juvenile - 3.1)	Rowan 09JT2	Elmore
	<b>Decision:</b> Affirmed		
12-1535-1	Washburn v Washburn (Civil)	Rutherford 10CVD766	Davis
	<b>Decision:</b> Affirmed		
12-1450-1	Lockerman, et al v South River Electric Membership Corporation, et al (Civil)	Sampson 11CVS152	Calabria
	<b>Decision:</b> Dismissed		
12-1418-1	Lockhart, et al v Tri-State Housing, Ltd., et al (Civil)	Scotland 11CVS123	Hunter
	<b>Decision:</b> Vacated and Remanded		
12-1380-1	In The Matter Of The Foreclosure Of: Shaw (Civil)	Wake 10SP2769	Ervin, IV
	<b>Decision:</b> Affirmed		
13-119-1	R.H. Donnelley Inc. v Embarq Corp., (Civil)	Wake 12CVS6466	Calabria
	<b>Decision:</b> Affirmed		
13-311-1	In re: A.W. & A.W. (Juvenile - 3.1)	Warren 12JA45-46	Stephens
	<b>Decision:</b> Affirmed		
12-1465-1	State v Blount (Criminal)	Wayne 09CRS56916 10CRS139	McCullough
	<b>Decision:</b> No Error		
12-1363-1	In The Matter Of: S.R.H. (Juvenile - Criminal)	Wilson 12JB18	McCullough

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	<b>Decision:</b> Affirmed in part, remanded in part		
12-1424-1	State v Warrick (Criminal)	Wilson 11CRS3630-31 11CRS50446 11CRS52978-79	Bryant
	<b>Decision:</b> Affirmed in part; dismissed in part		