

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 SEPTEMBER 2013)**  
**(MANDATE 7 OCTOBER 2013)**

Docket #	Title	County	Judge
12-1155-1	Hill v Hill (Civil) <b>Decision:</b> Affirmed in Part, Vacated and Remanded in Part	Buncombe	Steelman
13-260-1	State v Watkins (Criminal) <b>Decision:</b> Reversed and Remanded	Buncombe	Stroud
13-18-1	State v Marlow (Criminal) <b>Decision:</b> No Error	Cleveland	McCullough
13-259-1	State v Carr (Criminal) <b>Decision:</b> No Error	Cumberland	Stephens
13-181-1	Wilkerson v Duke Univ., (Civil) <b>Decision:</b> Reversed in Part, Affirmed in Part	Durham	Steelman
12-1359-1	State v Kirkwood & McDaniel (Criminal) <b>Decision:</b> No Error	Johnston	Geer
13-11-1	State v Fish (Criminal) <b>Decision:</b> No error in part; Reversed in part	Lincoln	Stroud
12-1533-1	State v Jackson (Criminal) <b>Decision:</b> No Error	Mecklenburg	McCullough
13-209-1	State v Tinney (Criminal) <b>Decision:</b> Affirmed	Moore	Ervin, IV
12-222-2	State v Boyett (Criminal) <b>Decision:</b> No Error	New Hanover	Dillon
13-125-1	The Robert K. Ward Living Tr., v Peck, (Civil) <b>Decision:</b> Affirmed	Onslow	Stroud
13-38-1	Mancuso, v Burton Farm Dev. Co. LLC, (Civil) <b>Decision:</b> Affirmed in Part and Dismissed as Moot in Part	Pamlico	Ervin, IV
13-190-1	State v Marsh (Criminal) <b>Decision:</b> Reversed and Remanded	Randolph	Stroud
13-113-1	Davis v Davis (Civil) <b>Decision:</b> Vacated in part and Affirmed in part	Union	Stroud
12-990-1	State v Barbour (Criminal) <b>Decision:</b> No Error	Wayne	Steelman
13-76-1	State v Barnes (Criminal) <b>Decision:</b> No Error in Part; Vacated and Remanded for Resentencing in Part	Wayne	Ervin, IV Linda McGee, (d)

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Docket #	Title	County	Judge
13-231-1	State v Phillips (Criminal)	Burke 10CRS1059, 11CRS1164- 11CRS51557, 12CRS14-15	McCullough
	<b>Decision:</b> Judgment arrested in part and remanded for resentencing.		
13-307-1	State v Shah (Criminal)	Cabarrus 09CRS52965	McCullough
	<b>Decision:</b> No plain error		
12-1517-1	State v Blanton (Juvenile - Criminal)	Catawba 11CRS3984	Hunter, Jr.
	<b>Decision:</b> Ineffective assistance of counsel claim denied; no plain error.		
13-99-1	State v Morris (Criminal)	Cleveland 07CRS051155-56 07CRS51155-56	Bryant
	<b>Decision:</b> Affirmed		
13-397-1	State v Smith (Criminal)	Columbus 11CRS54182	McCullough
	<b>Decision:</b> No Error		
13-148-1	Craft v The City Of New Bern (Civil)	Craven 09CVS2090	Stephens
	<b>Decision:</b> Affirmed		
13-206-1	State v Garrett (Criminal)	Craven 09CRS2984-86, 09CRS5- 4179-80, 09CRS54182, 1- 2CRS104	Martin
	<b>Decision:</b> No error in defendant's trial; remand to correct clerical error in judgment, Case Number 12 CRS 000104.		
12-1529-1	State v Wiggs (Criminal)	Cumberland 08CRS52185-86, 08CRS- 52639, 08CRS52641	Dillon
	<b>Decision:</b> No Error		
13-328-1	Premiere Auto, L.L.C., v Wachovia Bank, N.A., (Civil)	Cumberland 11CVS6838	Elmore
	<b>Decision:</b> Dismissed		
13-187-1	State v Peacock (Criminal)	Duplin 11CRS51902	McCullough
	<b>Decision:</b> No Error		
13-6-1	State v Jones (Criminal)	Edgecombe 10CRS3237, 10CRS516- 15, 10CRS52242-43	Geer
	<b>Decision:</b> No error in part and reversed in part.		
13-268-1	State v Austin (Criminal)	Gaston 11CRS63435, 11CRS634- 39, 12CRS6449-50, 12C- RS6455-58, 12CRS6461-65	McCullough
	<b>Decision:</b> No Error		
13-204-1	State v Najjar (Criminal)	Guilford 09CRS87053	McCullough
	<b>Decision:</b> No Error		
12-1320-1	State v Jones (Criminal)	Mecklenburg 08CRS250566, 08CRS80584	Geer

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	<b>Decision:</b> No Error		
13-121-1	State v Tolson (Criminal)	Mecklenburg 09CRS259691	Stroud
	<b>Decision:</b> No error; No plain error		
13-349-1	Okitenbo v Charlotte Mecklenburg Sch. (Civil)	Mecklenburg 12CVS15454	Martin
	<b>Decision:</b> Affirmed		
13-411-1	State v Jennings (Criminal)	Mecklenburg 00CRS25816,07CRS201598	McCullough
	<b>Decision:</b> Dismissed		
12-1211-1	Myers v Ben Mynatt Chevrolet Cadillac, et al (Civil)	N.C. Industrial Commission W99855	Geer
	<b>Decision:</b> Affirmed		
12-1349-1	Ennis v Munn (Civil)	New Hanover 11CVM1575-6	Geer
	<b>Decision:</b> Dismissed in part and affirmed in part		
13-294-1	State v McKenzie (Criminal)	Onslow 11CRS50379,11CRS503- 81-83	Martin
	<b>Decision:</b> No Prejudicial Error		
12-1407-1	White, et al v Burton Farm Development Company LLC, et al (Civil)	Pamlico 11CVS205,11CVS207,1- 2CVS17	Ervin, IV
	<b>Decision:</b> Affirmed		
12-1561-1	State v Inman (Criminal)	Robeson 11CRS2843	Steelman
	<b>Decision:</b> No Error in Part, Vacated and Remanded in Part.		
13-414-1	State v Alsbrooks (Criminal)	Union 10CRS56747,11CRS3737	McCullough
	<b>Decision:</b> No Error		
12-1140-1	NC Board Of Pharmacy v Najarian (Civil)	Wake 11CVS7970	Geer
	<b>Decision:</b> Affirmed		
12-1457-1	James v Schoonderwoerd, et al (Civil)	Wake 10CVS3120	Hunter, Jr.
	<b>Decision:</b> Affirmed		
12-1500-1	State v Everette (Criminal)	Wake 11CRS10639	Geer
	<b>Decision:</b> Vacated and Remanded		
13-107-1	State v Meggett (Criminal)	Wake 11CRS209117	Calabria
	<b>Decision:</b> No Error		
13-371-1	State v McClain (Criminal)	Wake 12CRS5589	McCullough
	<b>Decision:</b> No Error		