

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 17 DECEMBER 2013)**  
**(MANDATE 6 JANUARY 2014)**

| Docket #  | Title  | County                     | Judge               |
|-----------|--|----------------------------|---------------------|
| 13-329-1  | Simpson v Sears, Roebuck & Co., (Civil)<br><b>Decision:</b> Vacated and Remanded                           | Buncombe                   | Steelman            |
| 13-471-1  | State v Bartlett (Criminal)<br><b>Decision:</b> Affirmed   | Durham                     | Dillon              |
| 13-690-1  | Blair Invs., LLC v Roanoke Rapids City Council,<br>(Civil)<br><b>Decision:</b> Reversed                    | Halifax                    | Steelman            |
| 13-308-1  | State v Rowe (Criminal)<br><b>Decision:</b> No error in part; vacated and remanded<br>in part              | Henderson                  | Stephens            |
| 13-362-1  | State v Rollins (Criminal)<br><b>Decision:</b> Affirmed and No Error                                       | Henderson                  | Stroud              |
| 13-254-1  | State v Lewis (Criminal)<br><b>Decision:</b> No Error  | Johnston                   | Geer                |
| 13-278-1  | Schmidt v Petty, (Civil)<br><b>Decision:</b> Affirmed  | Macon                      | Davis               |
| 13-379-1  | Lloyd v Norfolk S. Ry. Co., (Civil)<br><b>Decision:</b> No Error   | Mecklenburg                | Steelman            |
| 13-425-1  | THZ Holdings, LLC v McCrea, (Civil)<br><b>Decision:</b> Affirmed in Part, Reversed in Part and<br>Remanded | Mecklenburg                | Hunter              |
| 13-610-1  | In re: A.F. (Juvenile - Criminal)<br><b>Decision:</b> Reversed and Remanded                                | Mecklenburg                | Ervin, IV           |
| 13-714-1  | Parsons v Parsons (Civil)<br><b>Decision:</b> Affirmed in Part and Reversed in Part                        | Mecklenburg                | Stroud              |
| 12-1485-1 | Morgan v Morgan Motor Company of Albemarle,<br>et al (Civil)<br><b>Decision:</b> Affirmed                  | N.C. Industrial Commission | Davis<br>Dillon (d) |
| 13-561-1  | State v Clark (Criminal)<br><b>Decision:</b> No Error  | Nash                       | Elmore              |
| 13-578-1  | State v Weaver (Criminal)<br><b>Decision:</b> Reversed and Remanded  | New Hanover                | Elmore              |
| 12-1261-1 | Tong, et al v Dunn, et al (Civil)<br><b>Decision:</b> Reversed and Remanded                                | Orange                     | Geer                |
| 13-215-1  | State v Jones (Criminal)<br><b>Decision:</b> No Error  | Orange                     | Martin              |

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| 13-717-1 | State v Paul (Criminal)<br><b>Decision:</b> Affirmed  | Pender     | Elmore      |
| 13-446-1 | Joyner v Perquimans Cnty. Bd. Of Educ. (Civil)<br><b>Decision:</b> Affirmed                   | Perquimans | Dillon      |
| 13-352-1 | Elliott, v KB Home N. Carolina, Inc., (Civil)<br><b>Decision:</b> Affirmed                    | Wake       | McGee       |
| 13-405-1 | Wetherington v N.C. Dep't of Crime Control & Pub. Safety (Civil)<br><b>Decision:</b> Affirmed | Wake       | McGee       |
| 13-559-1 | State v Holloman (Criminal)<br><b>Decision:</b> No error; remanded for resentencing           | Wake       | Martin      |
| 13-696-1 | Capital Bank, N.A. v Cameron, (Civil)<br><b>Decision:</b> Affirmed                            | Wake       | Hunter, Jr. |

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| 13-535-1 | Flowers v Williams (Civil)<br><b>Decision:</b> Affirmed   | Buncombe<br>11CVS4263           | McCullough  |
| 13-456-1 | Church v Decker (Civil)<br><b>Decision:</b> Reversed and Remanded   | Caldwell<br>01CVD1391           | Dillon      |
| 13-671-1 | State v Haggins (Criminal)<br><b>Decision:</b> Dismissed  | Catawba<br>11CRS3821            | Calabria    |
| 13-462-1 | State v Alston (Criminal)<br><b>Decision:</b> Affirmed  | Chatham<br>12CRS2780-83         | Calabria    |
| 13-395-1 | State v Turner (Criminal)<br><b>Decision:</b> No Error  | Cleveland<br>08CRS55472         | Dillon      |
| 13-741-1 | Brigman v Mcfetridge (Civil)<br><b>Decision:</b> Affirmed   | Cumberland<br>12CVD8486         | Ervin, IV   |
| 13-293-1 | State v Smith (Criminal)<br><b>Decision:</b> Remanded   | Duplin<br>11CRS50335 11CRS50343 | Davis       |
| 13-321-1 | State v Owens (Criminal)<br><b>Decision:</b> No Error   | Forsyth<br>10CRS58769           | Steelman    |
| 13-675-1 | In re: S.A. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed   | Greene<br>12JA42                | Martin      |
| 13-171-2 | Fox, v The City of Greensboro, (Civil)<br><b>Decision:</b> Dismissed  | Guilford<br>12CVS4940           | McGee       |
| 13-212-1 | State v Harris (Criminal)<br><b>Decision:</b> No Error  | Guilford<br>09CRS96501          | Ervin, IV   |
| 13-522-1 | Binder v Binder (Civil)<br><b>Decision:</b> Affirmed  | Guilford<br>04CVD4810           | Hunter      |
| 12-932-1 | State v Johnson (Criminal)<br><b>Decision:</b> Affirmed   | Johnston<br>09CRS55301          | Hunter, Jr. |
| 13-342-1 | In re: Razack (Civil)<br><b>Decision:</b> Affirmed  | Mecklenburg<br>11SP8243         | Dillon      |
| 13-366-1 | State v Dye (Criminal)<br><b>Decision:</b> Affirmed   | Mecklenburg<br>11CRS230140      | Hunter, Jr. |
| 13-391-1 | Beck Electric, LLC v Neighboring Concepts, PLLC, (Civil)<br><b>Decision:</b> Affirmed in part, reversed and remanded in part. | Mecklenburg<br>12CVS606         | Calabria    |

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| 13-465-1  | State v Givens (Criminal)<br><br><b>Decision:</b> Dismissed                              | Mecklenburg<br>11CRS243717-18<br>11CRS243738<br>12CRS17119                             | Elmore     |
| 13-612-1  | Clark v Clark (Civil)<br><br><b>Decision:</b> Affirmed                                   | Montgomery<br>97CVD211   | Steelman   |
| 13-576-1  | State v Euston (Criminal)<br><br><b>Decision:</b> Affirmed                               | Moore<br>11CRS53422  | Hunter     |
| 13-367-1  | Holly Springs Hosp. v N.C. Dep't of Health, (Civil)<br><br><b>Decision:</b> Affirmed     | N.C. Dept. of Health &<br>Human Svcs<br>11DHR12727 11DHR12794<br>11DHR12795 11DHR12796 | Elmore     |
| 12-1212-1 | Moore v The Goodyear Tire And Rubber Co., et al (Civil)<br><br><b>Decision:</b> Affirmed | N.C. Industrial Commission<br>W25564   | Geer       |
| 13-761-1  | Fields v Harnett Cnty. (Civil)<br><br><b>Decision:</b> Affirmed                          | N.C. Industrial Commission<br>092692 X10682  | McGee      |
| 13-370-1  | State v Whitaker (Criminal)<br><br><b>Decision:</b> New Trial                            | Nash<br>11CRS54048   | Steelman   |
| 13-571-1  | In Re: C.A.S. (Juvenile - 3.1)<br><br><b>Decision:</b> Reversed                          | Nash<br>11JT161  | Martin     |
| 13-198-1  | In re: Hull Storey Gibson Cos. LLC (Civil)<br><br><b>Decision:</b> Affirmed              | Property Tax Commission<br>08PTC240  | Davis      |
| 13-676-1  | State v Jones (Criminal)<br><br><b>Decision:</b> No Error                                | Robeson<br>09CRS50766 09CRS50971   | Steelman   |
| 13-441-1  | Garmon v Hagans (Civil)<br><br><b>Decision:</b> No error                                 | Rowan<br>11CVS2287   | McCullough |
| 13-861-1  | In re: T.V.C.D. (Juvenile - 3.1)<br><br><b>Decision:</b> Vacated                         | Rowan<br>13JT23  | Stroud     |