

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 18 MARCH 2014)**  
**(MANDATE 7 APRIL 2014)**

| Docket #  | Title                                                                                                                                                        | County                  | Judge               |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------|
| 13-340-1  | Spoon v Spoon (Civil)<br><b>Decision:</b> Affirmed                                                                                                           | Alamance                | Davis               |
| 13-461-1  | State v Alexander (Criminal)<br><b>Decision:</b> Reversed and Remanded                                                                                       | Catawba                 | Geer                |
| 13-1083-1 | Heaton-Sides v Snipes, (Civil)<br><b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded                                                           | Granville               | Martin              |
| 13-672-1  | State v Mulder (Criminal)<br><b>Decision:</b> Judgment arrested; remanded for resentencing                                                                   | Lee                     | Stephens            |
| 13-759-1  | In re: Pace/Dowd Props. Ltd. (Civil)<br><b>Decision:</b> Affirmed                                                                                            | Property Tax Commission | McCullough          |
| 13-873-1  | State v Kostick (Criminal)<br><b>Decision:</b> The State's motion to dismiss is denied. The trial court's denial of defendant's pretrial motions is affirmed | Swain                   | Bryant              |
| 13-504-1  | Robinson, v Shanahan, (Civil)<br><b>Decision:</b> Remanded                                                                                                   | Wake                    | Hunter              |
| 13-458-1  | Morningstar Marinas/Eaton Ferry, LLC v Warren Cnty., (Civil)<br><b>Decision:</b> Affirmed                                                                    | Warren                  | Davis<br>Elmore (D) |
| 13-482-1  | State v Sargent (Criminal)<br><b>Decision:</b> No Error                                                                                                      | Watauga                 | Bryant              |

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| 13-894-1  | Foss v McGuire, Wood & Bisette, PA, (Civil)<br><b>Decision:</b> Affirmed                          | Buncombe<br>09CVS2352                          | Hunter      |
| 13-699-1  | State v Warner (Criminal)<br><b>Decision:</b> No Error                                            | Cabarrus<br>11CRS55594,12CRS1086               | Calabria    |
| 13-1015-1 | In re Foreclosure: Lopez (Civil)<br><b>Decision:</b> Affirmed                                     | Catawba<br>11SP841                             | Elmore      |
| 13-797-1  | Peek v Watson (Civil)<br><b>Decision:</b> No Error                                                | Chatham<br>11CVS482                            | Hunter, Jr. |
| 13-989-1  | State v Carroll (Criminal)<br><b>Decision:</b> No Error                                           | Cleveland<br>11CRS50468,11CRS504-71,11CRS50473 | Bryant      |
| 13-562-1  | State v Brown (Criminal)<br><b>Decision:</b> Reversed and Remanded                                | Columbus<br>07CRS53687                         | Geer        |
| 13-1098-1 | In Re: Z.D.N.T. (Juvenile - 3.1)<br><b>Decision:</b> Reversed and Remanded                        | Craven<br>13JT6                                | Elmore      |
| 13-802-1  | MDT Pers., LLC v APH Contractors, Inc., (Civil)<br><b>Decision:</b> Dismissed                     | Guilford<br>12CVS3555                          | Geer        |
| 13-1032-1 | Allen Indus., Inc. v Kluttz (Civil)<br><b>Decision:</b> Dismissed                                 | Guilford<br>13CVS5637                          | McGee       |
| 13-901-1  | Pignatiello v Synovus Fin. Corp., (Civil)<br><b>Decision:</b> Affirmed in part; dismissed in part | Henderson<br>10CVS1303                         | Bryant      |
| 13-882-1  | Meherrin Indian Tribe, v Lewis, (Civil)<br><b>Decision:</b> Affirmed                              | Hertford<br>08CVS159                           | Bryant      |
| 13-483-1  | Friedman v Bank of Am., N.A., (Civil)<br><b>Decision:</b> Affirmed                                | Iredell<br>12CVS1812                           | Ervin, IV   |
| 13-718-1  | Rabun Cnty. Bank v Highlands Land Holding Grp., LLC, (Civil)<br><b>Decision:</b> Affirmed         | Jackson<br>12CVS344                            | Calabria    |
| 13-919-1  | Jernigan v Tart (Civil)<br><b>Decision:</b> New Trial; Dismissed in part                          | Johnston<br>11CVS987                           | Stroud      |
| 13-938-1  | In re: B.K. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in part and remanded in part.           | Madison<br>11JA36                              | Calabria    |
| 13-824-1  | State v Crowder (Criminal)<br><b>Decision:</b> Reversed                                           | Mecklenburg<br>10CRS205883                     | Hunter      |

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|-----------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------|
| 13-868-1  | Brown v Artisan 2510, Inc., (Civil)<br><b>Decision:</b> Affirmed in part; reversed and remanded in part; vacated in part | Mecklenburg<br>11CVS18370                     | Elmore    |
| 11-1197-2 | State v Whittington (Criminal)<br><b>Decision:</b> Vacated in part, no error in part.                                    | Nash<br>09CRS51601                            | McGee     |
| 13-842-1  | State v Hutcheson (Criminal)<br><b>Decision:</b> No Error                                                                | Nash<br>11CRS51133, 11CRS51314                | McGee     |
| 13-971-1  | In re: C.G., M.G., A.G. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                                    | Orange<br>11JT76-78                           | Elmore    |
| 13-706-1  | State v Call (Criminal)<br><b>Decision:</b> No Error                                                                     | Rowan<br>10CRS53951                           | Ervin, IV |
| 13-553-1  | State v Howie (Criminal)<br><b>Decision:</b> No Error in Part; Vacated in Part                                           | Union<br>10CRS56325-26, 11CRS2-520, 12CRS2040 | Ervin, IV |
| 13-724-1  | State v Denning (Criminal)<br><b>Decision:</b> No Error                                                                  | Wake<br>11CRS228201, 12CRS3448                | Bryant    |
| 13-940-1  | State v Melton (Criminal)<br><b>Decision:</b> No Prejudicial Error                                                       | Wake<br>12CRS4725, 12CRS4726                  | Hunter    |
| 13-957-1  | State v Phelps (Criminal)<br><b>Decision:</b> No prejudicial error in part; remanded in part                             | Washington<br>11CRS50589                      | Elmore    |