

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 6 MAY 2014)**  
**(MANDATE 27 MAY 2014)**

| Docket #  | Title   | County                     | Judge                       |
|-----------|---|----------------------------|-----------------------------|
| 13-987-1  | Sorey v Sorey (Civil)<br><b>Decision:</b> Affirmed  | Beaufort                   | Stroud                      |
| 13-720-1  | City of Asheville v Aly (Civil)<br><b>Decision:</b> Affirmed  | Buncombe                   | Davis                       |
| 13-1159-1 | State v Jacobs (Criminal)<br><b>Decision:</b> Reversed and Remanded   | Columbus                   | Elmore                      |
| 13-1266-1 | Integon Nat'l Ins. Co. v Helping Hands Specialized Transp., Inc., (Civil)<br><b>Decision:</b> Affirmed            | Forsyth                    | Martin                      |
| 13-1342-1 | State v Posey (Criminal)<br><b>Decision:</b> No Error   | Forsyth                    | McGee                       |
| 13-986-1  | Burakowski v Burakowski (Civil)<br><b>Decision:</b> Reversed and remanded in part                                 | Gates                      | Stroud                      |
| 13-1030-1 | GECCMC 2006-C1 Carrington Oaks, LLC v Weiss, (Civil)<br><b>Decision:</b> Affirmed                                 | Mecklenburg                | Martin                      |
| 13-1191-1 | State v Sterling (Criminal)<br><b>Decision:</b> No Error  | Mecklenburg                | Stroud                      |
| 13-9-1    | Tinajero v Balfour Beatty Infrastructure, Inc., (Civil)<br><b>Decision:</b> Affirmed in Part and Reversed in Part | N.C. Industrial Commission | Geer<br>Chris Dillon (c)(d) |
| 13-413-1  | Willard v VP Builders, Inc., (Civil)<br><b>Decision:</b> Affirmed   | N.C. Industrial Commission | Davis                       |
| 13-1074-1 | Johnson v S. Tire Sales & Serv., Inc., (Civil)<br><b>Decision:</b> Affirmed                                       | N.C. Industrial Commission | Hunter                      |
| 13-1140-1 | The N. Carolina State Bar v Simmons (Civil)<br><b>Decision:</b> Affirmed  | N.C. State Bar             | Hunter, Jr.                 |
| 13-1022-1 | State v Dinan (Criminal)<br><b>Decision:</b> No error in part; dismissed in part                                  | Onslow                     | Elmore                      |
| 13-991-1  | State v Lovette (Criminal)<br><b>Decision:</b> No Error   | Orange                     | Stroud                      |
| 13-1326-1 | State v Bailey (Criminal)<br><b>Decision:</b> Reversed  | Person                     | Hunter                      |
| 13-655-1  | Thomas v Thomas (Civil)<br><b>Decision:</b> Affirmed  | Wake                       | McCullough                  |

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| 13-947-1  | In re: R.R.N. (Juvenile - 3.1)<br><b>Decision:</b> Reversed  | Wilson | Elmore |
| 13-1112-1 | In re: J.C.B., C.R.R., H.F.R. (Juvenile - 3.1)<br><b>Decision:</b> reversed, in part; dismissed, in part | Wilson | Elmore |

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| 13-1198-1 | State v Thompson (Criminal)<br><b>Decision:</b> No error in part; reversed and remanded in part. | Alamance<br>11CRS56118                | McGee       |
| 13-804-1  | In re: Echols (Civil)<br><b>Decision:</b> Affirmed   | Bertie<br>10SP78                      | Calabria    |
| 13-1114-1 | In re: E.W.P. & J.W.P. (Juvenile - 3.1)<br><b>Decision:</b> Reversed and Remanded                | Brunswick<br>11JA125-126              | Ervin, IV   |
| 13-965-1  | State v Smith (Criminal)<br><b>Decision:</b> No plain error; No error                            | Buncombe<br>09CRS301<br>09CRS53119    | Stroud      |
| 13-1031-1 | In re: H.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Buncombe<br>12JA44                    | Stephens    |
| 13-1346-1 | In re: J.W. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Buncombe<br>11JA110                   | McCullough  |
| 13-1024-1 | State v Miller (Criminal)<br><b>Decision:</b> Remanded for redetermination of restitution        | Cabarrus<br>09CRS53721                | Elmore      |
| 13-1264-1 | Murrelle v Murrelle (Civil)<br><b>Decision:</b> Affirmed   | Carteret<br>10CVD1713<br>12CVD133     | Stephens    |
| 13-1403-1 | In re: K.I. & A.I. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                 | Catawba<br>09JA22-23                  | Davis       |
| 13-817-1  | Bell v City of New Bern, (Civil)<br><b>Decision:</b> Affirmed in part; dismissed in part         | Craven<br>12CVS1410                   | Geer        |
| 13-1206-1 | State v Johnson (Criminal)<br><b>Decision:</b> Affirmed  | Cumberland<br>11CRS66293              | Elmore      |
| 13-735-1  | State v Jandreau (Criminal)<br><b>Decision:</b> No prejudicial error                             | Currituck<br>10CRS50796<br>10CRS50914 | McCullough  |
| 13-1037-1 | In re: S.H., J.H., T.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                            | Davidson<br>10JT133-134<br>11JT134    | Hunter, Jr. |
| 13-1365-1 | In re: K.L.C. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Davidson<br>12JT98                    | McCullough  |
| 13-1305-1 | Evans v Evans (Civil)<br><b>Decision:</b> Vacated  | Durham<br>90CVD123                    | McGee       |
| 13-1349-1 | In re: C.B. (Juvenile - Criminal)  | Durham<br>12JB127                     | Stephens    |

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|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1354-1 | In re: B.M., D.C., A.C. (Juvenile - 3.1)                          | Durham<br>12JA32-34                 | McCullough                            |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1218-1 | State v Martin (Criminal)   | Edgecombe<br>13CRS324               | Elmore                                |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1012-1 | State v Horton (Criminal)   | Forsyth<br>12CRS17180<br>12CRS56767 | Hunter                                |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-1079-1 | State v Glover (Criminal)   | Forsyth<br>12CRS60503               | Davis                                 |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1029-1 | In re: S.B.A. & T.L.A. (Juvenile - 3.1)                           | Greene<br>11JT3-4                   | Davis                                 |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-856-1  | State v Dilworth (Criminal)                                       | Guilford<br>11CRS69355              | Elmore                                |
|           | <b>Decision:</b> No prejudicial error                             |                                     |                                       |
| 13-960-1  | Shackelford v Lundquist (Civil)                                   | Guilford<br>07CVD12047              | McGee                                 |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-1032-2 | Allen Indus., Inc. v Kluttz (Civil)                               | Guilford<br>13CVS5637               | McGee                                 |
|           | <b>Decision:</b> Dismissed  |                                     |                                       |
| 13-1073-1 | Hensel v Xerox Bus. Servs., LLC, (Civil)                          | Guilford<br>13CVS4734               | Ervin, IV                             |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1270-1 | In re: K.A.F. (Juvenile - 3.1)                                    | Guilford<br>12JA532                 | Hunter                                |
|           | <b>Decision:</b> AFFIRMED in Part; REVERSED and REMANDED in Part. |                                     |                                       |
| 13-1058-1 | State v Bennett (Criminal)  | Haywood<br>12CRS1115<br>12CRS52488  | Dillon                                |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-1141-1 | State v Glover (Criminal)   | Henderson<br>10CRS53859             | Steelman                              |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-782-1  | State v Ewart (Criminal)  | Jackson<br>11CRS1364                | Davis                                 |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-1011-1 | State v Kornegay (Criminal)                                       | Johnston<br>10CRS53554<br>11CRS3596 | Elmore                                |
|           | <b>Decision:</b> No Error   |                                     |                                       |
| 13-1165-1 | State v Mickens (Criminal)  | Johnston<br>02CRS52867              | Davis                                 |
|           | <b>Decision:</b> Affirmed   |                                     |                                       |
| 13-1195-1 | McGraw v McGraw (Civil)   | Johnston<br>08CVD985                | Stephens<br>Judge Chris Dillon<br>(d) |

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|           | <b>Decision:</b> Reversed and Remanded                    |  |             |
| 13-1212-1 | State v Finch (Criminal)                                  | Johnston<br>11CRS4362-63<br>11CRS54753-54<br>11CRS55107-08<br>11CRS55109-110<br>11CRS55111 | McGee       |
|           | <b>Decision:</b> Dismissed                                |  |             |
| 13-540-1  | State v Hoffman (Criminal)                                | Lincoln<br>11CRS51150  | Davis       |
|           | <b>Decision:</b> No Error                                 |  |             |
| 13-756-1  | Roanoke Country Club, Inc., v Town of Williamston (Civil) | Martin<br>10CVS374   | Calabria    |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-1047-1 | State v Lopez-Pesina (Criminal)                           | Martin<br>10CRS50633<br>10CRS605-610   | Hunter      |
|           | <b>Decision:</b> No Error                                 |  |             |
| 13-982-1  | State v Anthony (Criminal)                                | McDowell<br>12CRS51028   | Davis       |
|           | <b>Decision:</b> No Error                                 |  |             |
| 13-832-1  | In The Matters Of: J.A., J.J., J.J. (Juvenile - 3.1)      | Mecklenburg<br>12JA382 12JA383<br>12JA384  | Hunter, Jr. |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-949-1  | State v Ray (Criminal)                                    | Mecklenburg<br>12CRS214702   | Davis       |
|           | <b>Decision:</b> No Error                                 |  |             |
| 13-966-1  | State v Luke (Criminal)                                   | Mecklenburg<br>11CRS207253   | Davis       |
|           | <b>Decision:</b> No Error                                 |  |             |
| 13-1019-1 | In re: J.R. & J.R. (Juvenile - 3.1)                       | Mecklenburg<br>10JT305-306   | Ervin, IV   |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-1020-1 | Coston v Univ. of N. Carolina At Charlotte, (Civil)       | Mecklenburg<br>11CVS22954  | Hunter      |
|           | <b>Decision:</b> Reversed                                 |  |             |
| 13-798-1  | Norris v Wal-Mart Assocs., Inc., (Civil)                  | N.C. Industrial<br>Commission<br>562529  | McCullough  |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-910-1  | Paredones, v Wrenn Bros., (Civil)                         | N.C. Industrial<br>Commission<br>W60905  | Calabria    |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-943-1  | Smith v Am. Nat'l Ins. Co., (Civil)                       | N.C. Industrial<br>Commission<br>X20253  | Steelman    |
|           | <b>Decision:</b> Affirmed                                 |  |             |
| 13-958-1  | State v Grady (Criminal)                                  | New Hanover<br>06CRS52283  | Martin      |
|           | <b>Decision:</b> Affirmed                                 |  |             |

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| 13-973-1  | In re: J.W.A.M. & A.N.J.B. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed   | New Hanover<br>09JT226 11JT81         | Stephens    |
| 13-1153-1 | Hunt v Hunt (Civil)<br><b>Decision:</b> Affirmed in part; Remanded in part   | New Hanover<br>10CVD5691              | Stroud      |
| 13-959-1  | State v W. (Criminal)<br><b>Decision:</b> No Error   | Onslow<br>11CRS53063-64               | Geer        |
| 13-1061-1 | In re: J.D.V. (Juvenile - 3.1)<br><b>Decision:</b> Reversed and Remanded   | Onslow<br>12JA38                      | Hunter      |
| 13-1105-1 | State v Anderson (Criminal)<br><b>Decision:</b> No Plain Error   | Onslow<br>11CRS55657-61               | Hunter, Jr. |
| 13-1168-1 | Davis v Davis, (Civil)<br><b>Decision:</b> Affirmed  | Onslow<br>12CVS4163                   | Hunter, Jr. |
| 13-539-1  | In re: J.L. (Juvenile - Criminal)<br><b>Decision:</b> Dismissed in part; Affirmed in part; Vacated and Remanded in part. | Orange<br>12JB99                      | Davis       |
| 13-1183-1 | State v Shine (Criminal)<br><b>Decision:</b> Affirmed  | Person<br>13CRS329<br>13CRS330        | Elmore      |
| 13-1351-1 | State v Moore (Criminal)<br><b>Decision:</b> No error in part; no prejudicial error in part.                             | Person<br>12CRS50508-11               | Stephens    |
| 13-819-1  | State v Mann (Criminal)<br><b>Decision:</b> No error in part; Remanded for resentencing                                  | Rockingham<br>10CRS54259              | Davis       |
| 13-1152-1 | State v Wash (Criminal)<br><b>Decision:</b> No Error   | Rowan<br>06CRS57896-97<br>07CRS51270  | Elmore      |
| 13-924-1  | State v Strayhorn (Criminal)<br><b>Decision:</b> No Error  | Sampson<br>11CRS53251-52              | Elmore      |
| 13-1108-1 | State v Davis (Criminal)<br><b>Decision:</b> Reversed and Remanded   | Scotland<br>11CRS50535                | Davis       |
| 13-1233-1 | State v Boothe (Criminal)<br><b>Decision:</b> Remanded for redetermination of restitution                                | Stokes<br>13CRS50761-66<br>13CRS50768 | Elmore      |
| 13-1118-1 | State v King (Criminal)<br><b>Decision:</b> No Error in Part; Vacated and Remanded in Part.                              | Union<br>10CRS50358-60                | Hunter      |
| 13-666-1  | State v Inyama (Criminal)<br><b>Decision:</b> Affirmed   | Wake<br>11CRS219377                   | McCullough  |

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| 13-823-1  | The N. Carolina Hum. Rel. Comm'n, v Carriages At Allyns Landing Owners Ass'n, Inc., (Civil)<br><b>Decision:</b> Reversed | Wake<br>13CVS75   | Calabria   |
| 13-999-1  | In re: A.L.E., Jr. & A.K.E. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Wake<br>11JT241-242                                     | Calabria   |
| 13-1014-1 | Puryear v Puryear (Civil)<br><b>Decision:</b> Dismissed  | Wake<br>09CVS825  | McGee      |
| 13-1025-1 | State v Barkley (Criminal)<br><b>Decision:</b> No Error  | Wake<br>11CRS218802<br>11CRS9216                        | Elmore     |
| 13-1241-1 | In re: S.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Wake<br>12JT45  | McCullough |
| 13-1319-1 | State v Fowlkes (Criminal)<br><b>Decision:</b> No Error  | Wake<br>11CRS223948<br>11CRS223961-63<br>11CRS224370-71 | McGee      |