

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 20 MAY 2014)**  
**(MANDATE 9 JUNE 2014)**

Docket #	Title	County	Judge
13-981-1	Green v Kelischek (Civil) <b>Decision:</b> Affirmed	Buncombe	Hunter, Jr.
13-870-1	Sims v Graystone Ophthalmology Assocs., P.A., (Civil) <b>Decision:</b> Reversed	Catawba	McCullough
13-846-1	State v Foushee (Criminal) <b>Decision:</b> Reversed and Remanded	Durham	Ervin, IV
13-1397-1	In re: Gilbert Moore, Jr. (Civil) <b>Decision:</b> Affirmed	Granville	Martin
13-743-1	State v Jackson (Criminal) <b>Decision:</b> Reversed and vacated	Guilford	Stephens Chris Dillon (d)
13-1271-1	McLennan, v Josey, (Civil) <b>Decision:</b> Affirmed	Halifax	Elmore
13-880-1	In re: Duke Energy Corp. & Progress Energy, Inc. (Civil) <b>Decision:</b> Vacated in part; affirmed in part	N.C. Utilities Commission	Geer
13-512-1	Tyll v Berry (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Orange	Geer
13-1104-1	State v Rouse (Criminal) <b>Decision:</b> Vacated and remanded for resentencing	Pender	Elmore
13-602-1	Nannys Korner Care Ctr., v NC Dep't of Health & Hum. Servs. (Civil) <b>Decision:</b> Vacated and Remanded	Wake	Hunter, Jr.
13-1419-1	Huttig Bldg. Prods., Inc. v McDonald (Civil) <b>Decision:</b> Dismissed	Wake	Calabria

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Docket #	Title	County	Judge
13-1111-1	State v Roberts (Criminal) <b>Decision:</b> Affirmed	Brunswick 07CRS52264-79	Dillon
13-1219-1	State v Edmonds (Criminal) <b>Decision:</b> No Error	Buncombe 11CRS64718	Bryant
13-983-1	Morales v Garcia (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Cabarrus 12CVD1061	Geer
13-1203-1	State v Gillis (Criminal) <b>Decision:</b> No Error	Cabarrus 09CRS3474	Martin
13-771-1	Church v Decker (Civil) <b>Decision:</b> Reversed and Remanded	Caldwell 01CVD1391	Ervin, IV
13-969-1	State v Wilson (Criminal) <b>Decision:</b> Affirmed	Cleveland 11CRS1130-31 11CRS1186	McGee
13-1157-1	State v Turner (Criminal) <b>Decision:</b> Affirmed	Duplin 08CRS51563 08CRS51567	McGee
13-1295-1	In re: Stanback (Civil) <b>Decision:</b> Dismissed	Durham 13CVS3898	Hunter
13-963-1	Amos, v Moore, (Civil) <b>Decision:</b> Reversed	Forsyth 12CVS4964	Calabria
13-1144-1	State v Lemon (Criminal) <b>Decision:</b> No Error	Forsyth 11CRS57557	Stephens
13-892-1	State v Browning (Criminal) <b>Decision:</b> Reversed and Remanded	Franklin 12CRS50024-25	Geer
13-1160-1	State v Reynosa (Criminal) <b>Decision:</b> No Error	Graham 12CRS360-361 12CRS50484	McGee
13-776-1	State v Simpson (Criminal) <b>Decision:</b> No Error	Guilford 10CRS72489	Geer
13-1299-1	State v Graves (Criminal) <b>Decision:</b> No Error in Part; Vacated in Part; Remanded for resentencing.	Guilford 12CRS78766-67	Hunter
13-1379-1	In Re: M.A.H. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Guilford 10JT555	Hunter
13-765-1	State v Pittman (Criminal) <b>Decision:</b> No Error	Halifax 11CRS54905-06 11CRS54968	Ervin, IV

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13-1260-1	In Re: L.B.B. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 13J29	Bryant
13-1045-1	State v McMillan (Criminal) <b>Decision:</b> No Error	Hoke 12CRS50141 12CRS895 13CRS229	McGee
13-1154-1	In re: J.M. & S.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Johnston 12JA135-136	Hunter
13-1202-1	State v Adams (Criminal) <b>Decision:</b> No Error	Johnston 12CRS50894	Hunter
13-768-1	Haugh v Nationwide Mut. Fire Ins. Co., (Civil) <b>Decision:</b> AFFIRMED in part, MODIFIED in part.	Mecklenburg 10CVS19441	Dillon
13-852-1	Tricebock v Krentz (Civil) <b>Decision:</b> Affirmed in part; reversed and remanded in part	Mecklenburg 11CVD1704	Geer
13-1110-1	State v Davis (Criminal) <b>Decision:</b> No Error	Mecklenburg 12CRS225761 12CRS230370 12CRS44899	McGee
13-1424-1	Abdelaziz v. Asmar (Civil) <b>Decision:</b> No Error	Mecklenburg 11CVS19947	Elmore
13-1341-1	In re: E.I.O. (Juvenile - 3.1) <b>Decision:</b> Reversed and Remanded	Mitchell 13JT07	Hunter
13-1249-1	The NC State Bar v Berman (Civil) <b>Decision:</b> Affirmed	N.C. State Bar 12DHC31	Calabria
13-1145-1	State v Watts (Criminal) <b>Decision:</b> Dismissed	New Hanover 11CRS54439	McGee
13-1236-1	State v Kapec (Criminal) <b>Decision:</b> New Trial	New Hanover 12CRS52513	Steelman
13-1300-1	In re: A.R.S., E.D.S., M.S.S. (Juvenile - 3.1) <b>Decision:</b> Affirmed	New Hanover 11JT73-75	Hunter
13-935-1	State v Cash (Criminal) <b>Decision:</b> No error in part; reversed in part and remanded	Onslow 12CRS50104 12CRS50106 12CRS50120-22 12CRS50124	Geer
13-1362-1	In Re: S.M.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Pasquotank 13JT17	Stephens
13-618-1	King, v Pender Cnty., (Civil) <b>Decision:</b> Dismissed	Pender 12CVS794	Geer

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13-621-1	King, v Orr, (Civil) <b>Decision:</b> Dismissed	Pender 05SP146 07CVS617	Geer
13-1171-1	State v Link (Criminal) <b>Decision:</b> Reversed and Remanded	Person 12CRS1727-29	McGee
13-1467-1	LCA Dev., LLC v WMS Mgmt. Grp., LLC (Civil) <b>Decision:</b> Dismissed	Pitt 12CVS3376	Hunter
13-1414-1	In re: K.M.C. & H.D.C., III (Juvenile - 3.1) <b>Decision:</b> Affirmed in part; reversed in part	Randolph 10JA34 13JA5	Stephens
13-997-1	State v Craddock (Criminal) <b>Decision:</b> No Error	Rockingham 11CRS50150 11CRS817 13CRS354	Davis
13-849-1	State v Polk (Criminal) <b>Decision:</b> No Error	Rowan 11CRS51259-61 11CRS55416	Geer
13-1258-1	State v Wood (Criminal) <b>Decision:</b> Affirmed in part; remanded in part.	Rutherford 12CRS294	McGee
13-1385-1	In re: K.K. & K.K. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Swain 12JA22-23	Dillon
13-1158-1	State v Spencer (Criminal) <b>Decision:</b> Dismissed	Tyrrell 11CRS295-296	McGee
13-1227-1	State v Morgan (Criminal) <b>Decision:</b> Affirmed	Union 09CRS55490-94 09CRS55496-98 09CRS55500-01	McGee
13-1196-1	Roberson v Roberson (Civil) <b>Decision:</b> Affirmed	Vance 12CVD1019 12CVD809	Martin
13-801-1	In Re: Jemsek (Civil) <b>Decision:</b> Affirmed	Wake 12CVS9321	Davis
13-897-1	State v Chapin (Criminal) <b>Decision:</b> No Prejudicial Error	Wake 10CRS201603-604	Davis
13-1086-1	State v Sexton (Criminal) <b>Decision:</b> No Error	Wake 12CRS213765	Davis
13-1148-1	Best v Gallup (Criminal) <b>Decision:</b> Affirmed in Part and Reversed in Part	Wake 10CVD1893	Hunter
13-1325-1	Nelson v Alliance Hospitality Mgmt., LLC, (Civil) <b>Decision:</b> Dismissed	Wake 11CVS3217	Hunter

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13-1368-1	State v Miller (Criminal)	Wake 11CRS11876 11CRS221347-50	Bryant
	<b>Decision:</b> Affirmed		
13-1442-1	FIA Card Servs., N.A. v Caviness (Civil)	Wake 11CVD16592	Elmore
	<b>Decision:</b> Affirmed		
13-970-1	State v Gaspar (Criminal)	Wayne 11CRS55331 11CRS55332	Martin
	<b>Decision:</b> No prejudicial error		