

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 16 DECEMBER 2014)**  
**(MANDATE 5 JANUARY 2015)**

Docket #	Title	County	Judge
14-740-1	The Town of Black Mountain v Lexon Ins. Co., (Civil) <b>Decision:</b> Affirmed	Buncombe	Hunter
14-504-1	State v Myers (Criminal) <b>Decision:</b> Reversed and remanded; new trial.	Caswell	McGee
14-572-1	State v Jarman (Criminal) <b>Decision:</b> Affirmed	Craven	McGee
14-178-1	Tucker v Fayetteville State Univ., (Civil) <b>Decision:</b> Affirmed	Cumberland	Calabria
14-660-1	Wells Fargo Bank, N.A. v Corneal, (Civil) <b>Decision:</b> Affirmed	Dare	Stroud
12-1520-2	Debaun v Kuszaj, (Civil) <b>Decision:</b> Affirmed	Durham	Calabria
14-523-1	Gilbert v Guilford Cnty., (Civil) <b>Decision:</b> Affirmed	Guilford	Dillon
14-314-1	Cox v Cox v Layne (Civil) <b>Decision:</b> Affirmed in part; remanded in part	Iredell	Bryant
14-533-1	State v Floyd (Criminal) <b>Decision:</b> Vacated in Part; New Trial in Part	Lenoir	Ervin, IV
14-124-1	State v Shaw (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Davis
14-403-1	State v Crockett (Criminal) <b>Decision:</b> No Error	Mecklenburg	Bell
14-658-1	Charlotte Pavilion Rd. Retail Inv., L.L.C., v NC CVS Pharmacy, LLC, (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Elmore
14-551-1	Tedder v A & K Enters., (Civil) <b>Decision:</b> Affirmed in Part; Reversed and Remanded in Part	N.C. Industrial Commission	Dietz
14-490-1	State v Taylor (Criminal) <b>Decision:</b> New Trial	New Hanover	Ervin, IV Wanda Bryant (d)
14-191-1	Pruett v Bingham, (Civil) <b>Decision:</b> Affirmed	Rutherford	Bryant Donna Stroud (d)
14-382-1	Montague v Montague (Civil) <b>Decision:</b> Affirmed in Part, and Reversed and Remanded in Part.	Wake	Dillon

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14-428-1	Cline v Hoke (Civil) <b>Decision:</b> Affirmed	Wake	McGee
14-527-1	Bryant & Assocs., LLC v ARC Fin. Servs., LLC, (Civil) <b>Decision:</b> Affirmed	Wake	Stroud
14-741-1	N. Carolina Farm Bureau Mut. Ins. Co. v Burns, (Civil) <b>Decision:</b> Affirmed	Wake	Bell
14-212-1	E. Carolina Reg'l Hous. Auth. v Lofton (Civil) <b>Decision:</b> Affirmed	Wayne	Ervin, IV
14-574-1	State v Pierce (Criminal) <b>Decision:</b> No Error	Wilkes	Hunter

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14-386-1	Kaplan v Kaplan (Civil) <b>Decision:</b> Affirmed	Buncombe 10CVD1643	Ervin, IV
14-581-1	State v Gash (Criminal) <b>Decision:</b> No Error	Buncombe 13CRS50747-48	Dillon
14-617-1	State v Austin (Criminal) <b>Decision:</b> Remanded for correction of clerical error.	Buncombe 12CRS441-442	Elmore
14-673-1	Taylor v Taylor (Civil) <b>Decision:</b> Affirmed in Part and Vacated in Part	Buncombe 12CVD4993	Ervin, IV
14-716-1	State v Jordan (Criminal) <b>Decision:</b> Affirmed	Buncombe 12CRS58869-70	Ervin, IV
14-464-1	State v Pate (Criminal) <b>Decision:</b> No Error	Cherokee 10CRS51499	Bryant Sam Ervin (c)
14-727-1	State v Huffstetler (Criminal) <b>Decision:</b> No Error	Cleveland 12CRS50635	Hunter
14-705-1	State v Harris (Criminal) <b>Decision:</b> Affirmed	Craven 87CRS3525,87CRS4136	Elmore
14-546-1	State v Hubbard (Criminal) <b>Decision:</b> No Error	Cumberland 12CRS56386	Elmore
14-571-1	State v Rachels (Criminal) <b>Decision:</b> No error in part; no prejudicial error in part.	Davidson 11CRS5353,11CRS54866	Stephens
14-714-1	State v Patterson (Criminal) <b>Decision:</b> No Error	Davidson 11CRS53220,11CRS534-5,11CRS5358,12CRS2656	Bell
14-663-1	State v Smith (Criminal) <b>Decision:</b> Reversed and Remanded	Duplin 11CRS50335,11CRS50343	Stroud
14-440-1	Jackson v Jackson (Civil) <b>Decision:</b> Vacated	Durham 13CVD4785	Stephens
14-598-1	In re: J.W., Z.W., J.F. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Durham 13J173-175	Geer
14-544-1	State v Andrews (Criminal) <b>Decision:</b> No Error	Forsyth 12CRS60457,12CRS60457	Elmore

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14-605-1	State v Moses (Criminal) <b>Decision:</b> Vacated and Remanded	Forsyth 12CRS61452	Ervin, IV
14-672-1	State v Pettigrew (Criminal) <b>Decision:</b> No Error	Franklin 05CRS51895	Ervin, IV
14-409-1	State v Robinson (Criminal) <b>Decision:</b> No Error	Guilford 12CRS89510, 12CRS89-511, 13CRS73433	Stephens
14-444-1	State v Anderson (Criminal) <b>Decision:</b> No Error	Guilford 12CRS96238-40, 12CRS-96242, 12CRS96244, 12-CRS96247, 13CRS24056	Ervin, IV
14-266-1	Burnette v Fox (Civil) <b>Decision:</b> No Error	Haywood 12CVS29	Dillon
14-420-1	Finney v Finney (Civil) <b>Decision:</b> Affirmed	Haywood 06CVD26	Ervin, IV
14-556-1	State v Monroe (Criminal) <b>Decision:</b> No Error	Hoke 10CRS50069	Elmore
14-681-1	State v Harris (Criminal) <b>Decision:</b> No Error	Iredell 13CRS3175, 13CRS317-7, 13CRS3179	Ervin, IV
14-483-1	State v Figurelli & Sarday (Criminal) <b>Decision:</b> Affirmed	Johnston 13CRS52186, 13CRS52188	Davis
14-360-1	State v Gaddy (Criminal) <b>Decision:</b> Remanded for resentencing	Mecklenburg 12CRS235086, 12CRS2-35088, 12CRS235090	Elmore
14-394-1	State v Hampton (Criminal) <b>Decision:</b> No Error	Mecklenburg 08CRS254123	Bryant
14-481-1	State v Johnson (Criminal) <b>Decision:</b> No Prejudicial Error	Mecklenburg 11CRS255943	Davis
14-552-1	Jabez Consol. Holdings, Inc. v Wells Fargo Bank, N.A., (Civil) <b>Decision:</b> Affirmed	Mecklenburg 13CVS14695	Davis
14-594-1	State v Blackmon (Criminal) <b>Decision:</b> No Error	Mecklenburg 11CRS223305, 11CRS33155	Stroud
14-641-1	State v Petty (Criminal)	Mecklenburg 12CRS236412, 12CRS39339	Steelman

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	<b>Decision:</b> No Error as to Trial, Ineffective Assistance of Counsel Claim Dismissed Without Prejudice		
14-678-1	State v Bullabough (Criminal)	Mecklenburg 10CRS78869-70	Hunter
	<b>Decision:</b> New Trial In Part; Remanded With Instructions In Part		
14-567-1	Sartori v NC Dep't of Pub. Safety (Civil)	N.C. Industrial Commission TA-22787	McGee
	<b>Decision:</b> Vacated and Remanded		
14-615-1	Richardson v PCS Phosphate Co., Inc., (Civil)	N.C. Industrial Commission W28174	Hunter
	<b>Decision:</b> Affirmed		
14-618-1	State v Patterson (Criminal)	New Hanover 13CRS58149	Elmore
	<b>Decision:</b> No Error		
14-576-1	State v Lightsey (Criminal)	Onslow 12CRS57424-26	McCullough
	<b>Decision:</b> No error in part; vacated in part.		
14-664-1	State v Milton (Criminal)	Onslow 12CRS50988	Stephens
	<b>Decision:</b> No prejudicial error in part; dismissed in part		
14-814-1	State v Brown (Criminal)	Onslow 12CRS56333,12CRS56- 335-36,12CRS56338-39- ,13CRS52796-98,13CR- S52799-804,13CRS52807	Bell
	<b>Decision:</b> No Error in part; Vacated and Remanded in part		
14-274-1	White v White (Civil)	Pasquotank 09CVD770	Dillon
	<b>Decision:</b> Affirmed		
14-413-1	State v Britt (Criminal)	Robeson 11CRS5511,11CRS56104	Davis
	<b>Decision:</b> No Error		
14-452-1	In re: K.J.C. (Juvenile - Criminal)	Robeson 13JB62	Elmore
	<b>Decision:</b> Affirmed		
14-600-1	State v Page (Criminal)	Robeson 10CRS54508	Elmore
	<b>Decision:</b> New Trial		
14-587-1	In Re: M.N.M. (Juvenile - 3.1)	Rowan 12JT11	Geer
	<b>Decision:</b> Affirmed		
14-338-1	State v Frederick (Criminal)	Sampson 10CRS52051,10CRS52- 053-54	Davis
	<b>Decision:</b> Affirmed		
14-796-1	State v McKoy (Criminal)	Scotland 12CRS50970-71	Elmore
	<b>Decision:</b> No Error		

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14-555-1	State v Holleman (Criminal)  <b>Decision:</b> No Error	Stanly 10CRS50736,10CRS50-738-39	Elmore
14-334-1	Gupta v Carter (Civil)  <b>Decision:</b> Affirmed	Wake 13CVD14441	Davis
14-525-1	Wimes v NC Bd. Of Nursing (Civil)  <b>Decision:</b> Affirmed	Wake 12CVS16201	Elmore
14-579-1	Olavarria v Marriott (Civil)  <b>Decision:</b> Affirmed	Wake 13CVS3778	Stroud
14-699-1	In re: Y.M.C., F.C.C., S.C.C. (Juvenile - 3.1)  <b>Decision:</b> Affirmed	Wake 13JA660-662	Geer
14-679-1	State v Wyse (Criminal)  <b>Decision:</b> Affirmed	Yadkin 13CRS604	Elmore
14-252-1	Settlers Edge Holding Co., LLC, v RES-NC Settlers Edge, LLC (Civil)  <b>Decision:</b> Dismissed	Yancey 10CVS279	Davis