

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 31 DECEMBER 2014)**  
**(MANDATE 20 JANUARY 2015)**

Docket #	Title	County	Judge
14-688-1	Lacey, v Kirk, (Civil) <b>Decision:</b> Affirmed in Part, Vacated and Remanded in PArt	Alamance	Ervin, IV
14-388-1	Six At 109, LLC v Town Of Holden Beach (Civil) <b>Decision:</b> Affirmed	Brunswick	Bryant
14-539-1	MYC Klepper/Brandon Knolls L.L.C. v The Bd. of Adjustment For The City Of Asheville (Civil) <b>Decision:</b> Affirmed	Buncombe	Geer
14-564-1	Bottom v. Bailey (Civil) <b>Decision:</b> Affirmed	Buncombe	Steelman
14-782-1	State v Ortiz (Criminal) <b>Decision:</b> Reversed and Remanded for Sentencing	Buncombe	Bell
14-613-1	State v Pierce (Criminal) <b>Decision:</b> No error in part; vacated and remanded in part	Burke	Geer
14-287-1	LE Oceanfront, Inc., v Lands End of Emerald Isle Ass'n, Inc. (Civil) <b>Decision:</b> Vacated and Remanded	Carteret	Dillon
14-377-1	Carolina Marlin Club Marina Ass'n, Inc. v Preddy (Civil) <b>Decision:</b> Affirmed	Carteret	McCullough
14-623-1	TSG Finishing, LLC v Bollinger (Civil) <b>Decision:</b> Reversed and Remanded	Catawba	Hunter
14-732-1	In re: A.R. & C.R. (Juvenile - 3.1) <b>Decision:</b> Dismissed in part and affirmed in part.	Cleveland	Calabria
14-738-1	State v Sisk (Criminal) <b>Decision:</b> No Error	Cleveland	Davis
14-433-1	Norrell v Keely (Civil) <b>Decision:</b> Affirmed	Currituck	Stroud
14-566-1	State v Johnson (Criminal) <b>Decision:</b> New Trial	Johnston	Stroud
14-327-1	For The Adoption Of: Robinson (Civil) <b>Decision:</b> Affirmed	Lincoln	Dillon
13-1338-1	Jackson v The Charlotte Mecklenburg Hosp. Auth., (Civil) <b>Decision:</b> Reversed	Mecklenburg	Geer

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14-355-1	Ferguson v Ferguson (Civil) <b>Decision:</b> Reversed and Remanded	Mecklenburg	Ervin, IV Lisa Bell (c)(d)
14-435-1	In re: David P. Hall (Criminal) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
14-451-1	Ellis v Ellis (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Bryant
14-349-1	Gerhauser v Van Bourgondien (Civil) <b>Decision:</b> Vacated	Moore	Stroud Wanda Bryant(d)
14-324-1	Seamon v Ingersoll Rand, (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Elmore
14-698-1	Clark v Summit Contractors Grp., Inc., (Civil) <b>Decision:</b> Reversed	N.C. Industrial Commission	Hunter
14-599-1	State v Hinnant (Criminal) <b>Decision:</b> No Error	Nash	Dillon
14-639-1	State v Sitosky (Criminal) <b>Decision:</b> Vacated and Remanded	New Hanover	Davis
14-762-1	In re: Z.T.W. (Juvenile - Criminal) <b>Decision:</b> Affirmed	Northampton	Ervin, IV
14-573-1	Steele v Bowden, (Civil) <b>Decision:</b> Affirmed in Part; Reversed and Remanded in Part	Orange	Ervin, IV Richard Elmore (d)(c)
14-868-1	In re: L.M. (Juvenile - 3.1) <b>Decision:</b> Affirmed in part, vacated and remanded in part.	Robeson	McCullough
14-695-1	Wright v WakeMed, (Civil) <b>Decision:</b> Affirmed	Vance	Ervin, IV
14-39-1	State v Pendergraft (Criminal) <b>Decision:</b> Affirmed	Wake	Ervin, IV Chris Dillon (c)(d)
14-559-1	State v Coakley (Criminal) <b>Decision:</b> No Error in part; Judgment Arrested and Remanded in part	Wake	Bell
14-647-1	In Re: Costin (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wake	Dillon
14-756-1	In re: J.K.P. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Wake	Dietz
14-757-1	Manickavasagar v N. Carolina Dep't Of Pub. Safety, (Civil) <b>Decision:</b> Affirmed	Wake	McGee
14-772-1	Forehand v Forehand (Civil) <b>Decision:</b> Affirmed	Wake	Hunter

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14-585-1	Feltman v City of Wilson, (Civil) <b>Decision:</b> Reversed and Remanded	Wilson	Davis

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14-280-1	State v Wynn (Criminal) <b>Decision:</b> New Trial	Beaufort 08CRS50412	Dillon
13-1425-1	Wally, v. City of Kannapolis (Civil) <b>Decision:</b> Affirmed	Cabarrus 13CVS1562	McGee
14-636-1	State v Moore (Criminal) <b>Decision:</b> No Error	Cabarrus 06CRS54375,10CRS903	Geer
14-717-1	Valley Proteins, Inc. v Eco-Collection Sys., LLC, (Civil) <b>Decision:</b> Reversed, vacated, and remanded.	Cumberland 12CVS2387	Hunter
14-476-1	The Currituck Club Prop. Owners Ass'n, Inc. v Mancuso Dev., Inc. (Civil) <b>Decision:</b> Affirmed	Currituck 11CVS118 11CVS118,11CVS118	Davis
14-586-1	Bobbitt v Eizenga, (Civil) <b>Decision:</b> Vacated and Remanded	Davie 10CVD13	Ervin, IV
14-656-1	Ledbetter v City of Durham, (Civil) <b>Decision:</b> Affirmed	Durham 12CVS5955	Dillon
14-568-1	Becker v N.C. Crim. Justice Educ. & Training Standards Comm'n (Civil) <b>Decision:</b> Affirmed	Edgecombe 13CVS106	Geer
14-715-1	Arnold v The Ins. Co. Of The State Of Pa., (Civil) <b>Decision:</b> Vacated	Edgecombe 12CVS996	Bell
14-512-1	Branch Banking & Tr. Co. v The Harrelson Bldg., LLC (Civil) <b>Decision:</b> Affirmed	Forsyth 13CVS6326	Bell
14-768-1	IN RE: C.M.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Gaston 10JT200	Dillon
14-853-1	IN RE: T.D.J., T.N.J., T.S.J. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Gaston 12JT72-74	Dietz
14-487-1	Logan v Morgan, (Civil) <b>Decision:</b> Affirmed	Guilford 11CVS8678	Geer
14-684-1	Witcher v Parsons, (Civil) <b>Decision:</b> Vacated and Remanded	Guilford 13CVS1470	Bell
14-806-1	State v Lennon (Criminal) <b>Decision:</b> No Prejudicial Error	Guilford 12CRS24794,12CRS70321	Davis
14-825-1	In re: S.T. & Q.T. (Juvenile - 3.1)	Guilford 13JA434,13JA435	Elmore

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	<b>Decision:</b> Affirmed		
14-542-1	State v Benitez (Criminal)	Lee 09CRS1227	Geer
	<b>Decision:</b> Reversed and remanded; judgment vacated		
13-1369-1	State v Tsilimos (Criminal)	Mecklenburg 10CRS242533	Geer
	<b>Decision:</b> Affirmed		
14-508-1	State v Deese (Criminal)	Mecklenburg 11CRS202838-40	Geer
	<b>Decision:</b> Vacated in part; no error in part		
14-543-1	State v Johnson (Criminal)	Mecklenburg 10CRS257480,11CRS23263	Davis
	<b>Decision:</b> No Error		
14-601-1	State v Avery (Criminal)	Mecklenburg 09CRS240639	Davis
	<b>Decision:</b> No Prejudicial Error		
14-602-1	Premier Res. Of N. Carolina, Inc., v Kelly (Civil)	Mecklenburg 13CVS21279	Bell
	<b>Decision:</b> Affirmed		
14-769-1	Williams v Lynch, (Civil)	Mecklenburg 10CVS9849	McGee
	<b>Decision:</b> No Error		
14-758-1	State v Quick (Criminal)	Montgomery 11CRS50655	Hunter
	<b>Decision:</b> No Plain Error		
14-700-1	Wells v Charlotte Mecklenburg Hosp. Auth. (Civil)	N.C. Industrial Commission X88380,Y05621	Stroud
	<b>Decision:</b> Affirmed		
14-730-1	Johnson v City of Raleigh, (Civil)	N.C. Industrial Commission 992368	Davis
	<b>Decision:</b> Affirmed		
14-685-1	IN RE: J.C.S. (Juvenile - 3.1)	Nash 12JT102	Dietz
	<b>Decision:</b> Affirmed		
14-783-1	Nixon Assocs., LLC v Brown, (Civil)	New Hanover 12CVS3806	Davis
	<b>Decision:</b> Affirmed		
14-298-1	In re: M.M.M. (Juvenile - 3.1)	Onslow 11JT166	Ervin, IV
	<b>Decision:</b> Affirmed		
14-628-1	Rigsbee v Walsh (Civil)	Onslow 13CVS3660	Geer
	<b>Decision:</b> Affirmed		
14-747-1	In re: L.B-M. (Juvenile - 3.1)	Orange 12JT98	Dillon
	<b>Decision:</b> Affirmed		
14-866-1	In re: Z.M. (Juvenile - 3.1)	Orange 11JT2	Dillon

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	<b>Decision:</b> Affirmed		
14-383-1	State v Amyx (Criminal)	Pasquotank 10CRS51675	Bryant
	<b>Decision:</b> Affirmed		
14-608-1	State v Highsmith (Criminal)	Pitt 11CRS51062-63	Bryant
	<b>Decision:</b> No Error		
14-902-1	In re: H.H. & R.H. (Juvenile - 3.1)	Polk 09CVD660 13JA31-32	Davis
	<b>Decision:</b> Affirmed in Part; Remanded in Part		
14-711-1	Bryant v Holzinger (Civil)	Randolph 11CVS2727	Ervin, IV
	<b>Decision:</b> Affirmed		
14-781-1	In Re: R.D.L. (Juvenile - 3.1)	Robeson 10JT206	Dillon
	<b>Decision:</b> Affirmed		
14-453-1	Toney v Edgerton (Civil)	Rutherford 12CVD864	Dillon
	<b>Decision:</b> Affirmed		
14-748-1	Anderson v Anderson (Civil)	Surry 12CVD460	Elmore
	<b>Decision:</b> Remanded		
14-439-1	State v Hoxit (Criminal)	Transylvania 12CRS50388-97	Elmore
	<b>Decision:</b> New Trial		
14-484-1	Gordon v Gordon (Civil)	Wake 11CVD17745	Ervin, IV
	<b>Decision:</b> Affirmed		
14-754-1	State v Williams (Criminal)	Wake 09CRS25171	Elmore
	<b>Decision:</b> No prejudicial error		
14-826-1	In re: N.D.S. (Juvenile - 3.1)	Wake 12JT219	Dietz
	<b>Decision:</b> Affirmed		
14-834-1	Dawkins v Cruz, (Civil)	Wake 13CVS7633	Elmore
	<b>Decision:</b> Dismissed		
14-755-1	In The Matters Of: O.K.D., G.M.D., I.W.D. (Juvenile - 3.1)	Wilkes 13JA62,13JA63,13JA64	Stroud
	<b>Decision:</b> Affirmed		