

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 JANUARY 2016)**  
**(MANDATE 25 JANUARY 2016)**

| Docket #  | Title   | County                  | Judge                              |
|-----------|---|-------------------------|------------------------------------|
| 15-300-1  | State v Ricks (Criminal)<br><b>Decision:</b> No Error   | Alamance                | Hunter, Jr.<br>Chris Dillon-(c)(d) |
| 15-468-1  | State v. Martin (Criminal)<br><b>Decision:</b> Reversed and Remanded                                      | Carteret                | Inman                              |
| 15-597-1  | State v. Springle (Criminal)<br><b>Decision:</b> Reversed and Remanded in Part and Dismissed in Part      | Carteret                | Bryant                             |
| 15-813-1  | Sain v. Adams Auto Grp., Inc. (Civil)<br><b>Decision:</b> Affirmed in part; reversed in part and remanded | Catawba                 | Tyson                              |
| 15-683-1  | Hedgepeth v. Parker's Landing Prop. Owners Ass'n, Inc. (Civil)<br><b>Decision:</b> Reversed and Remanded  | Currituck               | Tyson                              |
| 15-728-1  | Rossi v. Spoloric (Civil)<br><b>Decision:</b> Affirmed  | Dare                    | Tyson                              |
| 15-406-1  | Montessori Children's House of Durham v Blizzard (Civil)<br><b>Decision:</b> Affirmed                     | Durham                  | Davis                              |
| 15-321-1  | Wilson Funeral Dirs., Inc. v NC Bd. of Funeral Serv. (Civil)<br><b>Decision:</b> Reversed                 | Henderson               | Elmore                             |
| 15-451-1  | Johnson v Starboard Ass'n, Inc. (Civil)<br><b>Decision:</b> Affirmed                                      | Mecklenburg             | Elmore                             |
| 15-40-1   | State v Allman (Criminal)<br><b>Decision:</b> Affirmed  | New Hanover             | Geer<br>Chris Dillon(d)            |
| 15-207-1  | Alston v Hueske (Civil)<br><b>Decision:</b> Affirmed  | Orange                  | Hunter, Jr.                        |
| 15-233-1  | Cushman v Cushman (Civil)<br><b>Decision:</b> Affirmed  | Pamlico                 | Zachary                            |
| 15-250-1  | Holder v Kunath (Civil)<br><b>Decision:</b> Reversed and Remanded   | Polk                    | Geer                               |
| 14-1399-1 | In re: FLS Owner II, LLC (Civil)<br><b>Decision:</b> Reversed and Remanded                                | Property Tax Commission | Calabria                           |
| 15-90-1   | Greene v Tr. Servs. Of Carolina, LLC, (Civil)<br><b>Decision:</b> Affirmed                                | Union                   | Geer                               |
| 15-97-1   | In re: Kenley (Civil)<br><b>Decision:</b> Affirmed  | Union                   | Geer                               |

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| 15-439-1 | State v Chapman (Criminal)<br><b>Decision:</b> No Prejudicial Error   | Union   | Davis      |
| 15-172-1 | Spoor v Barth, (Civil)<br><b>Decision:</b> Reversed   | Wake    | McCullough |
| 15-217-1 | E. Brooks Wilkins Fam. Med., P.A. v WakeMed,<br>(Civil)<br><b>Decision:</b> Dismissed in part; Affirmed in part | Wake    | Inman      |
| 15-558-1 | State v. Martinez (Criminal)<br><b>Decision:</b> No Error   | Wake    | Dillon     |
| 15-416-1 | Morgan-McCoart v Matchette (Civil)<br><b>Decision:</b> Affirmed in part, Reversed and<br>Remanded in part.      | Watauga | Dillon     |
| 15-804-1 | State v. Jones (Criminal)<br><b>Decision:</b> Vacated   | Wayne   | Tyson      |

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| 15-869-1 | In re: H.G. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed   | Alleghany<br>15JA2                      | Hunter, Jr. |
| 15-741-1 | Shapemasters, Inc. v. Accetturo (Civil)<br><b>Decision:</b> Affirmed  | Avery<br>10CVS294                       | Tyson       |
| 15-324-1 | State v Duncan (Criminal)<br><b>Decision:</b> Affirmed  | Buncombe<br>13CRS51991                  | Davis       |
| 15-458-1 | State v Crook (Criminal)<br><b>Decision:</b> No Error   | Buncombe<br>14CRS50187 14CRS50189       | Hunter, Jr. |
| 15-795-1 | State v. Kornya (Criminal)<br><b>Decision:</b> No Error   | Buncombe<br>14CRS85780-81               | Tyson       |
| 15-814-1 | In re: K.S.D. (Juvenile - Criminal)<br><b>Decision:</b> Affirmed  | Buncombe<br>15JB13                      | Bryant      |
| 15-773-1 | In re: G.J., A.J., E.G.J. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed   | Cabarrus<br>12JA32 12JA33 14JA93        | Inman       |
| 15-199-1 | State v Easter (Criminal)<br><b>Decision:</b> Vacated in part; Dismissed in part; No Prejudicial Error in part; Remanded for resentencing | Carteret<br>13CRS52835-36<br>13CRS52942 | Stephens    |
| 15-611-1 | Anzures v. Walbecq (Civil)<br><b>Decision:</b> Dismissed  | Catawba<br>14CVD2473                    | Bryant      |
| 15-707-1 | State v. Wilson (Criminal)<br><b>Decision:</b> No Error   | Cleveland<br>12CRS1566 14CRS736         | Bryant      |
| 15-608-1 | State v. Chase (Criminal)<br><b>Decision:</b> Reversed and Remanded   | Craven<br>08CRS1785 08CRS51237          | Bryant      |
| 15-83-1  | State v Kirk (Criminal)<br><b>Decision:</b> No Error  | Cumberland<br>12CRS55758-63 12CRS7721   | Dillon      |
| 15-290-1 | State v McCulloch (Criminal)<br><b>Decision:</b> Reversed   | Cumberland<br>14CRS354                  | Davis       |
| 15-370-1 | Bacon v Universal Ins. Co. (Civil)<br><b>Decision:</b> Affirmed   | Davidson<br>14CVS1454                   | Davis       |
| 15-242-1 | State v Aultman (Criminal)<br><b>Decision:</b> No Error   | Duplin<br>12CRS52538 12CRS52539         | Hunter, Jr. |
| 15-627-1 | State v. Aguilar (Criminal)<br><b>Decision:</b> No Error  | Duplin<br>12CRS51845                    | Bryant      |

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| 15-255-1 | State v Eaton (Criminal)<br><b>Decision:</b> No Error   | Forsyth<br>08CRS56454                                    | McCullough  |
| 15-483-1 | State v. Martinez (Criminal)<br><b>Decision:</b> No Error   | Forsyth<br>12CRS61197 14CRS113                           | Dillon      |
| 15-551-1 | State v. Williams (Criminal)<br><b>Decision:</b> No error in part, judgment arrested in part, and remanded for resentencing | Forsyth<br>11CRS50309 11CRS50310<br>11CRS50311 12CRS6445 | Elmore      |
| 15-571-1 | State v. Stephens (Criminal)<br><b>Decision:</b> Affirmed   | Forsyth<br>13CRS60614                                    | Dillon      |
| 15-606-1 | State v. Albini (Criminal)<br><b>Decision:</b> No Error   | Forsyth<br>13CRS52574                                    | Bryant      |
| 15-543-1 | Williamson v. Whitfield (Civil)<br><b>Decision:</b> Affirmed  | Franklin<br>12CVD589                                     | Dillon      |
| 15-821-1 | State v. Mitchell (Criminal)<br><b>Decision:</b> No Error   | Guilford<br>13CRS74273                                   | Bryant      |
| 15-702-1 | State v. Needham (Criminal)<br><b>Decision:</b> Affirmed  | Lincoln<br>09CRS52250<br>09CRS52252-54                   | Bryant      |
| 15-133-1 | State v Davis (Criminal)<br><b>Decision:</b> No Error   | Mecklenburg<br>12CRS255682<br>12CRS255684                | Stroud      |
| 15-411-1 | State v Oliveros (Criminal)<br><b>Decision:</b> No Error  | Mecklenburg<br>11CRS227974                               | Dillon      |
| 15-803-1 | Garcia v. Boxer Prop. Mgmt. Corp. (Civil)<br><b>Decision:</b> Dismissed   | Mecklenburg<br>13CVS11973                                | Stephens    |
| 15-669-1 | Breath v. Orthocarolina (Civil)<br><b>Decision:</b> Affirmed  | N.C. Industrial Commission<br>13-733099                  | Tyson       |
| 15-188-1 | Bullard, ex rel v Peak Steel, L.L.C. (Civil)<br><b>Decision:</b> Affirmed   | Robeson<br>13CVS944                                      | Hunter, Jr. |
| 15-474-1 | State v. Aycock (Criminal)<br><b>Decision:</b> No Error   | Sampson<br>11CRS53357                                    | Bryant      |
| 15-961-1 | In re: R.C.O., J.R.H., Jr., N.C.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Surry<br>12JT103 12JT104 12JT105                         | Stephens    |
| 15-12-1  | State v Williams (Criminal)<br><b>Decision:</b> No Error  | Union<br>13CRS50434                                      | Hunter, Jr. |

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| 15-58-1  | State v Nyberg (Criminal)                                     | Wake<br>12CRS204656-57<br>12CRS204766-68<br>12CRS205273<br>12CRS209769 | McCullough  |
|          | <b>Decision:</b> no error in part; reverse and remand in part |  |             |
| 15-215-1 | State v Richardson (Criminal)                                 | Wake<br>12CRS209179  | Geer        |
|          | <b>Decision:</b> No Error                                     |  |             |
| 15-280-1 | Hertzberg v Fur Specialists, Inc., (Civil)                    | Wake<br>14CVS4498  | Hunter, Jr. |
|          | <b>Decision:</b> Affirmed                                     |  |             |
| 15-388-1 | State v Vallejo (Criminal)                                    | Wake<br>12CRS1843 12CRS202268  | Elmore      |
|          | <b>Decision:</b> No Error                                     |  |             |
| 15-397-1 | State v Lester (Criminal)                                     | Wake<br>11CRS15581 11CRS208054<br>11CRS209658                          | Bryant      |
|          | <b>Decision:</b> No Error                                     |  |             |
| 15-509-1 | State v. Anderson (Criminal)                                  | Wake<br>13CRS215612<br>13CRS215619<br>14CRS219189                      | Tyson       |
|          | <b>Decision:</b> Vacated                                      |  |             |
| 15-700-1 | State v. Pearson (Criminal)                                   | Wayne<br>13CRS50396  | Bryant      |
|          | <b>Decision:</b> No Error                                     |  |             |