

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 1 AUGUST 2017)**  
**(MANDATE 21 AUGUST 2017)**

| Docket #  | Title  | County                    | Judge                               |
|-----------|--|---------------------------|-------------------------------------|
| 17-101-1  | Tanglewood Prop. Owners' Ass'n, Inc. v. Isenhour (Civil)<br><b>Decision:</b> Reversed and Remanded                       | Brunswick                 | Hunter, Jr.                         |
| 16-761-1  | State v. Arrington (Criminal)<br><b>Decision:</b> Vacated and Remanded   | Buncombe                  | Davis<br>Berger (d)                 |
| 17-270-1  | In re: R.S., A.S., C.S. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Buncombe                  | Murphy                              |
| 16-1122-1 | Mitchell, Brewer, Richardson, Adams, Burge & Boughman v. Brewer (Civil)<br><b>Decision:</b> Affirmed                     | Cumberland                | Davis                               |
| 17-130-1  | Leonard v. Bell (Civil)<br><b>Decision:</b> Affirmed   | Cumberland                | Arrowood                            |
| 16-767-1  | State v. Anderson (Criminal)<br><b>Decision:</b> VACATED in part; REVERSED in part; and REMANDED                         | Graham                    | Bryant                              |
| 16-1078-1 | Plum Props., LLC v. NC Farm Bureau Mut. Ins. Co., Inc. (Civil)<br><b>Decision:</b> Affirmed                              | Guilford                  | Berger, Jr.                         |
| 16-960-1  | In re: Clayton (Civil)<br><b>Decision:</b> Affirmed  | Henderson                 | Elmore                              |
| 16-1059-1 | State v. Cannon (Criminal)<br><b>Decision:</b> Affirmed in part; vacated in part; remanded for a new sentencing hearing. | Lincoln                   | Murphy<br>Dietz (C)<br>Calabria (D) |
| 16-950-1  | Friday Invs., LLC v. Bally Total Fitness Of The Mid-Atl., Inc. (Civil)<br><b>Decision:</b> Reversed and Remanded         | Mecklenburg               | Tyson<br>Elmore (d)                 |
| 16-1230-1 | In re: C.M.P., C.Q.M.P., J.A.C. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Mecklenburg               | Bryant<br>Murphy (c)                |
| 16-1307-1 | Schwarz v. St. Jude Med., Inc. (Civil)<br><b>Decision:</b> Reversed  | Mecklenburg               | Elmore<br>John Arrowood (c)         |
| 16-1318-1 | Kyle v. Felfel (Civil)<br><b>Decision:</b> Reversed and Remanded   | Mecklenburg               | Davis                               |
| 16-1057-1 | Cheatham v. Town of Taylortown (Civil)<br><b>Decision:</b> Affirmed in Part; Remanded for Further Consideration in Part  | Moore                     | Murphy                              |
| 16-1067-1 | State of NC v. NC Sustainable Energy Ass'n (Civil)<br><b>Decision:</b> Reversed  | N.C. Utilities Commission | Murphy                              |

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| 16-532-1  | Nash Hosps., Inc. v. State Farm Mut. Auto. Ins. Co. (Civil)<br><b>Decision:</b> affirmed in part, vacated and remanded in part | Nash     | Inman    |
| 16-839-1  | State v. Trent (Criminal)<br><b>Decision:</b> Affirmed; Remanded for correction of clerical errors.                            | Randolph | Calabria |
| 16-849-1  | Van-Go Transp., Inc. v. Sampson Cty. (Civil)<br><b>Decision:</b> Affirmed  | Sampson  | Davis    |
| 16-889-1  | Holland v. Harrison (Civil)<br><b>Decision:</b> Affirmed   | Wake     | Davis    |
| 16-1106-1 | State v. Fitts (Criminal)<br><b>Decision:</b> Affirmed   | Wake     | Murphy   |
| 17-95-1   | In re: N.X.A., B.R.S.A-D., D.S.K.A-D. (Juvenile - 3.1)<br><b>Decision:</b> No Error  | Wilkes   | Calabria |

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| 17-181-1  | In The Matters Of: A.C., N.B., P.B., R.B., B.B., S.B. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded | Ashe<br>15JA15,15JA16,15JA17,-<br>15JA18,15JA19,15JA20 | Tyson                       |
| 17-204-1  | In re: R.S. & A.G-C.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in Part and Dismissed in Part   | Ashe<br>10JA6,15JA35                                   | Hunter, Jr.                 |
| 17-157-1  | In re: A.W. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Beaufort<br>15JA59                                     | Elmore                      |
| 16-932-1  | Crazie Overstock Promotions, LLC v. McVicker (Civil)<br><b>Decision:</b> Affirmed  | Bladen<br>16CVS204                                     | Dillon                      |
| 16-1183-1 | Cox v. City of Kannapolis (Civil)<br><b>Decision:</b> Affirmed   | Cabarrus<br>15CVS1805                                  | Davis                       |
| 16-57-1   | Wolfe v. Wolfe (Civil)<br><b>Decision:</b> vacated and remanded for new trial  | Catawba<br>10CVD3703                                   | Inman                       |
| 16-1317-1 | In re: P.D. & C.A. (Juvenile - 3.1)<br><b>Decision:</b> Vacated  | Chatham<br>14JT4,14JT5                                 | Elmore<br>Philip Berger (c) |
| 17-105-1  | In re: B.M.C.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Davidson<br>14JT69                                     | Hunter, Jr.                 |
| 16-770-1  | Thompson v. Gerlach (Civil)<br><b>Decision:</b> Affirmed   | Durham<br>07CVD4521                                    | Calabria                    |
| 16-1149-1 | State v. Benton (Criminal)<br><b>Decision:</b> Affirmed  | Durham<br>15CRS3445-46,15CRS5-<br>8952,16CRS1821       | Elmore                      |
| 16-1234-1 | Whitley v. Whitley (Civil)<br><b>Decision:</b> Affirmed  | Edgecombe<br>14CVS803                                  | Calabria                    |
| 16-1304-1 | State v. Harris (Criminal)<br><b>Decision:</b> NO PREJUDICIAL ERROR.   | Edgecombe<br>13CRS53358,13CRS53-<br>359,14CRS50829     | Davis                       |
| 15-797-2  | U.S. Bank Nat'l Ass'n v. Pinkney (Civil)<br><b>Decision:</b> Reversed  | Forsyth<br>14CVS5603                                   | Arrowood                    |
| 17-129-1  | In re: J.M.N. & J.M.N. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed   | Guilford<br>14JT212,14JT319                            | Murphy                      |
| 17-238-1  | In re: M.G.S. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Harnett<br>14JT98                                      | Berger, Jr.                 |
| 17-56-1   | In re: K.A.R. (Juvenile - 3.1)   | Iredell<br>14JT213                                     | Berger, Jr.                 |

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|           | <b>Decision:</b> Affirmed  |  |             |
| 16-1248-1 | State v. Maddux (Criminal)   | Johnston<br>15CRS54467,15CRS55398          | Hunter, Jr. |
|           | <b>Decision:</b> New Trial   |  |             |
| 16-812-1  | Patton v. The Charlotte-Mecklenburg Hosp. Auth. (Civil)              | Mecklenburg<br>11CVS18041                  | Hunter, Jr. |
|           | <b>Decision:</b> Dismissed in Part; Affirmed in Part                 |  |             |
| 17-163-1  | In re: J.C.C. (Juvenile - 3.1)                                       | Mecklenburg<br>16JA266                     | Bryant      |
|           | <b>Decision:</b> Affirmed  |  |             |
| 16-910-2  | Anders v. Universal Leaf N. Am. (Civil)                              | N.C. Industrial<br>Commission<br>X43019    | Zachary     |
|           | <b>Decision:</b> Affirmed in part; Vacated and remanded in part      |  |             |
| 16-1138-1 | Emerald Place Dev. Props., LLC v. Horne (Civil)                      | Pitt<br>14CVS2381                          | Calabria    |
|           | <b>Decision:</b> Affirmed  |  |             |
| 17-104-1  | In re: Garner (Civil)  | Vance<br>16E7                              | Calabria    |
|           | <b>Decision:</b> Affirmed  |  |             |
| 16-670-1  | Vecellio & Grogan, Inc. v. NC Dep't of Transp. (Civil)               | Wake<br>12CVS7420                          | Stroud      |
|           | <b>Decision:</b> Affirmed; Remanded for Correction of Clerical Error |  |             |
| 16-1058-1 | State v. Gallegos (Criminal)   | Wake<br>14CRS222622                        | Bryant      |
|           | <b>Decision:</b> No Error  |  |             |
| 16-1092-1 | State v. Fellner (Criminal)  | Wake<br>14CRS222735-37                     | Dillon      |
|           | <b>Decision:</b> No Error  |  |             |
| 16-1172-1 | State v. Howell (Criminal)   | Wake<br>13CRS231273                        | Calabria    |
|           | <b>Decision:</b> Vacated and Remanded.                               |  |             |
| 16-1205-1 | State v. Pastore (Criminal)  | Wake<br>12CRS201966-69,12CR-<br>S202498-99 | Stroud      |
|           | <b>Decision:</b> No Error  |  |             |
| 16-1320-1 | In re: E.R. (Juvenile - 3.1)   | Watauga<br>14JT61                          | Tyson       |
|           | <b>Decision:</b> Affirmed  |  |             |
| 16-938-1  | State v. Ellis (Criminal)  | Wayne<br>13CRS50677,13CRS50679             | Calabria    |
|           | <b>Decision:</b> Vacated and Remanded.                               |  |             |