

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 5 SEPTEMBER 2017)**  
**(MANDATE 25 SEPTEMBER 2017)**

| Docket #  | Title  | County                     | Judge                |
|-----------|--|----------------------------|----------------------|
| 17-173-1  | In re: L.W.S. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed  | Burke                      | Bryant               |
| 17-91-1   | State v. Peters (Criminal)<br><b>Decision:</b> No Error  | Cabarrus                   | Berger, Jr.          |
| 16-948-1  | Gardner v. Rink (Civil)<br><b>Decision:</b> Vacated in part, and dismissed in part   | Catawba                    | Berger, Jr.          |
| 17-219-1  | State v. Seam (Criminal)<br><b>Decision:</b> Vacated and Remanded  | Davidson                   | Berger, Jr.          |
| 16-964-1  | Forbes v. City of Durham (Civil)<br><b>Decision:</b> Affirmed  | Durham                     | Stroud               |
| 16-830-1  | Malecek v. Williams (Civil)<br><b>Decision:</b> Reversed and Remanded  | Forsyth                    | Dietz                |
| 16-1287-1 | Rutledge v. Feher (Civil)<br><b>Decision:</b> Affirmed   | Jackson                    | Murphy               |
| 16-1139-1 | Premier, Inc. v. Peterson (Civil)<br><b>Decision:</b> Affirmed   | Mecklenburg                | Murphy<br>Dillon (c) |
| 16-1213-1 | State v. Robinson (Criminal)<br><b>Decision:</b> No Error  | Mecklenburg                | Zachary              |
| 16-1243-1 | State v. Shore (Criminal)<br><b>Decision:</b> Dismissed in Part; No Error in Part  | Mecklenburg                | Arrowood             |
| 16-203-1  | Pine v. Wal-Mart Assocs., Inc. (Civil)<br><b>Decision:</b> Affirmed  | N.C. Industrial Commission | Inman<br>Tyson(c)(d) |
| 16-558-1  | Myres v. Strom Aviation, Inc. (Civil)<br><b>Decision:</b> Affirmed   | N.C. Industrial Commission | Stroud               |
| 17-211-1  | Frank v. Charlotte Symphony (Civil)<br><b>Decision:</b> Affirmed   | N.C. Industrial Commission | Tyson                |
| 17-33-1   | Braswell v. Medina (Civil)<br><b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded   | Nash                       | Davis                |
| 16-1112-1 | State v. Rogers (Criminal)<br><b>Decision:</b> No Error  | New Hanover                | Berger, Jr.          |
| 16-647-1  | Conleys Creek Ltd. P'ship v. Smoky Mountain Country Club Prop. Owners Ass'n (Civil)<br><b>Decision:</b> Affirmed in Part, Dismissed in Part, Reversed in Part and Remanded | Swain                      | Dillon               |

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| 17-37-1   | Union Cty. v. Town of Marshville (Civil)<br><b>Decision:</b> Dismissed                   | Union  | Berger, Jr.                        |
| 16-829-1  | In re: Ackah (Civil)<br><b>Decision:</b> Affirmed in Part, Reversed in Part and Remanded | Wake   | Dillon<br>Murphy (d)               |
| 16-1275-1 | State v. Prince (Criminal)<br><b>Decision:</b> No Error                                  | Wake   | Bryant                             |
| 17-59-1   | State v. Jones (Criminal)<br><b>Decision:</b> No Error                                   | Wake   | Berger, Jr.<br>Valerie Zachary (d) |

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| 16-1025-1 | State v. Byrd (Criminal)<br><b>Decision:</b> NO ERROR IN PART; VACATED AND REMANDED IN PART.     | Alamance<br>15CRS54988-89  | Bryant                  |
| 16-1099-1 | State v. McCoy (Criminal)<br><b>Decision:</b> No error in part; vacated in part; remand in part. | Alamance<br>13CRS53245     | Hunter, Jr.             |
| 16-1315-1 | Eagle v. Eagle (Civil)<br><b>Decision:</b> Dismissed   | Buncombe<br>14CVD3600      | Zachary                 |
| 17-134-1  | Holbert v. Blanchard (Civil)<br><b>Decision:</b> Affirmed  | Buncombe<br>12CVS2333      | Davis                   |
| 17-261-1  | In re: S.S.T. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Burke<br>15JT100           | Hunter, Jr.             |
| 17-304-1  | In re: K.G.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Burke<br>09JT76            | Davis                   |
| 16-1301-1 | Uli v. Uli (Civil)<br><b>Decision:</b> Reversed and Remanded                                     | Cabarrus<br>12CVD1023      | Arrowood                |
| 16-1251-1 | In re: A.L.H. (Juvenile - 3.1)<br><b>Decision:</b> Vacated and Remanded                          | Catawba<br>15JT36          | Dietz                   |
| 16-1142-1 | State v. Booker (Criminal)<br><b>Decision:</b> Vacated and Remanded                              | Cumberland<br>15CRS1623-27 | Elmore                  |
| 16-1186-1 | State v. Batiste (Criminal)<br><b>Decision:</b> Reversed   | Cumberland<br>14CRS59675   | Calabria                |
| 17-20-1   | Kelley v. Andrews (Civil)<br><b>Decision:</b> Affirmed   | Durham<br>13CVS5618        | Dillon                  |
| 17-149-1  | In re: A.M.S. (Juvenile - 3.1)<br><b>Decision:</b> Reversed                                      | Edgecombe<br>15JT72        | Calabria                |
| 16-997-1  | Jackson v. Century Mut. Ins. Co. (Civil)<br><b>Decision:</b> Affirmed                            | Forsyth<br>14CVS7263       | Dillon<br>Murphy (c)(d) |
| 17-205-1  | In re: A.J.S. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Forsyth<br>15JT15          | Bryant                  |
| 16-1288-1 | Bowden v. Washburn (Civil)<br><b>Decision:</b> Affirmed  | Harnett<br>16CVD1232       | Bryant                  |
| 16-885-1  | Daly v. Daly (Civil)<br><b>Decision:</b> Affirmed  | Lee<br>15CVD276            | Inman                   |

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| 17-34-1   | State v. Goff (Criminal)<br><br><b>Decision:</b> Affirmed  | Lenoir<br>15CRS1175 15CRS50953<br>15CRS51096 15CRS668-71 | Zachary<br>Phil Berger, Jr. (c) |
| 16-765-1  | Khashman v. Khashman (Civil)<br><br><b>Decision:</b> Affirmed  | Mecklenburg<br>14CVS21105                                | Inman                           |
| 16-627-1  | Carter v. Barnes Transp. (Civil)<br><br><b>Decision:</b> Affirmed  | N.C. Industrial Commission<br>W69306                     | Inman                           |
| 17-93-1   | State v. Smith (Criminal)<br><br><b>Decision:</b> Vacated in part, No error in part                              | Nash<br>14CRS54642 15CRS1112                             | Zachary                         |
| 17-27-1   | State v. Tilghman (Criminal)<br><br><b>Decision:</b> Dismissed in Part; No Error in Part; No Plain Error in Part | New Hanover<br>15CRS4541 15CRS52868-69                   | Dietz                           |
| 17-255-1  | In re: M.H. (Juvenile - 3.1)<br><br><b>Decision:</b> Vacated and Remanded  | New Hanover<br>16JA232                                   | Davis                           |
| 17-189-1  | In re: T.L.M. & Z.A.M. (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed in Part; Remanded in Part.              | Onslow<br>14JT22-23                                      | Hunter, Jr.                     |
| 16-1279-1 | Bullard v. Prime Bldg. Co., Inc. (Civil)<br><br><b>Decision:</b> Affirmed  | Robeson<br>15CVS2084                                     | Hunter, Jr.                     |
| 17-44-1   | Fortner v. Hornbuckle (Civil)<br><br><b>Decision:</b> No Error   | Swain<br>11CVS137  | Dillon                          |
| 16-1147-1 | State v. Allen (Criminal)<br><br><b>Decision:</b> No Error   | Union<br>12CRS52763-64                                   | Murphy                          |
| 17-76-1   | State v. Clegg (Criminal)<br><br><b>Decision:</b> No Error   | Wake<br>14CRS202101                                      | Arrowood                        |
| 17-174-1  | In re: G.M. (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed  | Wake<br>12JA313  | Dillon                          |
| 17-297-1  | In re: D.M.P., Jr. (Juvenile - 3.1)<br><br><b>Decision:</b> Affirmed   | Wake<br>15JT276  | Dillon                          |
| 16-1003-1 | State v. St. Clair (Criminal)<br><br><b>Decision:</b> No Error   | Washington<br>15CRS50180                                 | Inman                           |
| 17-36-1   | State v. Carlton (Criminal)<br><br><b>Decision:</b> No Error   | Wilkes<br>15CRS51294 15CRS527-28                         | Arrowood                        |
| 16-958-1  | In re: O.S.R. (Juvenile - Criminal)<br><br><b>Decision:</b> Vacated in part and Remanded                         | Yadkin<br>11JB39   | Stroud                          |