

**IN THE COURT OF APPEALS**  
**CASES REPORTED WITH PUBLISHED OPINIONS**  
**(FILED 15 MAY 2018)**  
**(MANDATE 4 JUNE 2018)**

Docket #	Title	County	Judge
17-882-1	NC Dep't of Env'tl. Quality v. TRK Dev., LLC (Civil) <b>Decision:</b> Reversed and Remanded	Cabarrus	Davis
17-1303-1	Swauger v. Univ. of NC At Charlotte (Civil) <b>Decision:</b> Affirmed	Cabarrus	Inman
17-981-1	ABC Servs., LLC v. Wheatly Boys, LLC (Civil) <b>Decision:</b> Affirmed in Part, Reversed and Remanded in Part.	Carteret	Dillon
17-951-1	Dep't of Transp. v. Laxmi Hotels of Spring Lake, Inc. (Civil) <b>Decision:</b> Affirmed	Cumberland	Zachary
17-1310-1	McDonald v. The Bank of N.Y. Mellon Tr. Co. (Civil) <b>Decision:</b> Affirmed	Cumberland	Tyson
17-1108-1	LeTendre v. Currituck Cty. (Civil) <b>Decision:</b> Reversed and Remanded	Currituck	Stroud
17-803-1	State v. Turnage (Criminal) <b>Decision:</b> Reversed and Remanded	Duplin	Berger, Jr.
17-1000-1	State v. Stanley (Criminal) <b>Decision:</b> Reversed and Remanded	Durham	Davis
17-281-1	In re: Hendrix (Civil) <b>Decision:</b> Affirmed	Forsyth	Stroud
17-1061-1	State v. Shaw (Criminal) <b>Decision:</b> Vacated and Remanded	Forsyth	Zachary
17-1341-1	In re: Menendez (Civil) <b>Decision:</b> Dismissed	Guilford	Hunter, Jr.
17-729-1	Jeffries v. Cty. of Harnett (Civil) <b>Decision:</b> Affirmed in part; dismissed in part	Harnett	Elmore
17-457-1	Marsh v. Marsh (Civil) <b>Decision:</b> Affirmed	Iredell	Berger, Jr.
17-862-1	State v. Cox (Criminal) <b>Decision:</b> Affirmed	Macon	McGee
17-856-1	State v. McDaniel (Criminal) <b>Decision:</b> Vacated	McDowell	McGee John Tyson(d)
17-1055-1	GEA, Inc. v Luxury Auctions Mktg., Inc. (Civil) <b>Decision:</b> Affirmed	Mecklenburg	Zachary

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17-1208-1	Brooks v. City of Winston-Salem (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission	Davis
17-12-1	State v. Grady (Criminal) <b>Decision:</b> Reversed	New Hanover	Calabria Wanda Bryant (d)
17-553-1	Kaiser v. Kaiser (Civil) <b>Decision:</b> Vacated and Remanded	New Hanover	Dietz
17-577-1	Moore v. Jordan (Civil) <b>Decision:</b> Affirmed	Orange	Calabria
17-1086-1	Nationwide Affinity Ins. Co. of Am. v. Bei (Civil) <b>Decision:</b> Affirmed	Wake	Hunter, Jr. Richard Dietz(c)
17-1095-1	State v. Courtney (Criminal) <b>Decision:</b> Vacated	Wake	Elmore
17-1171-1	Mastny v. Mastny (Civil) <b>Decision:</b> Reversed and Remanded	Wake	Tyson
17-602-1	State v. Sharpe (Criminal) <b>Decision:</b> Affirmed and Remanded for correction of clerical error	Wilson	Stroud

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17-1125-1	Hill v. Hill (Civil) <b>Decision:</b> Affirmed	Buncombe 09CVD4748	Arrowood
17-1103-1	State v. Dancy (Criminal) <b>Decision:</b> Dismissed	Cabarrus 13CRS56014	Inman
17-1277-1	State v. Mackins (Criminal) <b>Decision:</b> No Error	Cabarrus 15CRS1126 15CRS51906	Tyson
17-1119-1	Church v. Decker (Civil) <b>Decision:</b> Dismissed	Caldwell 01CVD1391	Bryant
17-1120-1	Church v. Decker (Civil) <b>Decision:</b> Affirmed	Caldwell 01CVD1391	Bryant
17-1050-1	State v. Jimenez (Criminal) <b>Decision:</b> NO PLAIN ERROR.	Carteret 16CRS1485 16CRS52297-98	Tyson
17-1254-1	In re: E.D. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Catawba 15JT263	Inman
17-1185-1	State v. Xiong (Criminal) <b>Decision:</b> DISMISSED in part; NO ERROR in part.	Cleveland 16CRS204	Bryant
17-1097-1	State v. Garland (Criminal) <b>Decision:</b> No Error	Davidson 14CRS2181-82 14CRS53960	Dillon
17-1231-1	State v. McClelland (Criminal) <b>Decision:</b> No Error	Davidson 15CRS1548 15CRS51334	Tyson
17-1379-1	State v. Curlee (Criminal) <b>Decision:</b> Vacated and Remanded	Davie 13CRS50224 14CRS358	Tyson
17-1298-1	In re: A.L., N.L., & E.L. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Durham 15J59-61	Inman
17-650-1	State v. Payne (Criminal) <b>Decision:</b> NO ERROR IN PART; DISMISSED IN PART	Forsyth 15CRS54023	Bryant
17-922-1	Whitman v. Stimpson (Civil) <b>Decision:</b> Affirmed	Forsyth 16CVS342	Elmore
17-925-1	State v. Smith (Criminal) <b>Decision:</b> NO PREJUDICIAL ERROR.	Gaston 15CRS55427 15CRS55430 16CRS6	Davis
17-1012-1	State v. Gibson (Criminal) <b>Decision:</b> No Error	Gaston 14CRS58642	Dietz

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17-1059-1	State v. Stroupe (Criminal) <b>Decision:</b> No Error	Graham 15CRS308-309	Tyson
17-817-1	State v. Ford (Criminal) <b>Decision:</b> No error in part; No plain error in part.	Guilford 13CRS100080 13CRS100186-87 14CRS24169	Calabria Philip Berger, Jr. (c)
17-831-1	State v. Gladney (Criminal) <b>Decision:</b> No Error	Guilford 14CRS23273 14CRS87645	Elmore
17-1278-1	In re: J.W. (Juvenile - 3.1) <b>Decision:</b> Affirmed	Harnett 17JA48	Arrowood
17-1049-1	State v. Miller (Criminal) <b>Decision:</b> Affirmed	Iredell 11CRS53855 11CRS53915	Tyson
17-886-1	State v. Luker (Criminal) <b>Decision:</b> No Error	Jackson 16CRS50084 16CRS99	Stroud
17-1141-1	State v. Hines (Criminal) <b>Decision:</b> No Error	Johnston 15CRS2030 15CRS54562	Calabria
17-896-1	Talley v. Pride Mobility Prods. Corp. (Civil) <b>Decision:</b> Affirmed	Lee 16CVS348	Hunter, Jr.
17-830-1	State v. Pursley (Criminal) <b>Decision:</b> Affirmed	Macon 15CRS51402 16CRS35	McGee
17-747-1	State v. Mills (Criminal) <b>Decision:</b> REVERSED AND REMANDED WITH INSTRUCTIONS.	McDowell 09CRS51654	Davis Tyson, J. (d)
17-791-1	Hewitt v. Hewitt (Civil) <b>Decision:</b> Vacated and Remanded in Part; Affirmed in Part.	Mecklenburg 14CVD1152	Hunter, Jr.
17-1203-1	Bowman v. Bros. Air & Heat, Inc. (Civil) <b>Decision:</b> Dismissed	Mecklenburg 16CVS20217	Zachary
18-3-1	State v. Truesdale (Criminal) <b>Decision:</b> No Error	Mecklenburg 16CRS219217	Arrowood
17-1060-1	Pryor v. Express Servs. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission X86647	Dillon
17-1195-1	Prince v. Underground Constr. Co., Inc. (Civil) <b>Decision:</b> Dismissed	N.C. Industrial Commission 13-731249	Arrowood
17-1314-1	Kish v. Frye Reg'l Med. Ctr. (Civil) <b>Decision:</b> Affirmed	N.C. Industrial Commission 031980	Arrowood
17-454-1	In re: Ward (Civil)	New Hanover 13E901	Murphy

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	<b>Decision:</b> No error in part; Dismissed in part.		
17-824-1	Sutton v. Shackley (Civil)	Pitt 13CVS2887	Dillon
	<b>Decision:</b> Affirmed		
17-944-1	State v. Brown (Criminal)	Stanly 15CRS1383	Tyson
	<b>Decision:</b> NO ERROR AT TRIAL JUDGMENT VACATED AND REMANDED FOR RESENTENCING.		
17-616-1	In re: S.P. (Civil)	Wake 16SPC8520	Bryant
	<b>Decision:</b> Affirmed		
17-1225-1	State v. Moore (Criminal)	Wake 16CRS210610-12	Tyson
	<b>Decision:</b> Vacated and Remanded for Resentencing		
17-1256-1	State v. Hunter (Criminal)	Wake 14CRS224200 16CRS99	Tyson
	<b>Decision:</b> Affirmed		
17-1326-1	In re: T.L.B. (Juvenile - 3.1)	Wake 15JT280	Arrowood
	<b>Decision:</b> Affirmed		
17-1094-1	State v. Twine (Criminal)	Washington 15CRS50069-70	Tyson
	<b>Decision:</b> No Error		
17-1148-1	Dunnigan v. Mack (Civil)	Watauga 13CVD579	Dietz
	<b>Decision:</b> Affirmed		