

IN THE COURT OF APPEALS
CASES REPORTED WITH PUBLISHED OPINIONS
(FILED 18 DECEMBER 2018)
(MANDATE 7 JANUARY 2019)

| Docket # | Title | County | Judge |
|-----------|--|------------|-----------------------------|
| 16-398-2 | State v. Hyman (Criminal) Decision: Affirmed | Bertie | Elmore |
| 18-379-1 | Ayscue v. Griffin (Civil) Decision: VACATED IN PART, REVERSED IN PART AND REMANDED. | Bertie | Tyson |
| 18-349-1 | MTGLQ Investors, L.P. v. Curnin (Civil) Decision: Reversed and Remanded | Brunswick | Dillon |
| 17-1337-1 | State v. Piland (Criminal) Decision: No error in part; Vacated in part and remanded for resentencing; No plain error in part. | Buncombe | Murphy |
| 18-565-1 | State v. Godfrey (Criminal) Decision: No Error | Caldwell | Zachary |
| 18-592-1 | In re: C.K.C. & W.T.C., III (Juvenile - 3.1) Decision: Reversed | Catawba | Zachary |
| 17-1368-1 | Doe v. Doe (Civil) Decision: Reversed and Remanded | Cumberland | Stroud |
| 18-341-1 | Watson v. Watson (Civil) Decision: Reversed | Cumberland | Elmore |
| 18-524-1 | Watson v. Joyner-Watson (Civil) Decision: Affirmed | Cumberland | Elmore Chris Dillon (d) |
| 18-202-1 | State v. Seam (Criminal) Decision: Affirmed | Davidson | Davis |
| 18-489-1 | Bank of Am., N.A. v. McFarland (Civil) Decision: Affirmed | Durham | Murphy |
| 18-234-1 | State v. Coley (Criminal) Decision: New Trial | Guilford | Tyson Zachary (d) |
| 18-244-1 | Gyger v. Clement (Civil) Decision: Affirmed | Guilford | Zachary |
| 18-475-1 | McKinney v. McKinney (Civil) Decision: Affirmed | Guilford | Dietz |
| 18-21-1 | State v. Pless (Criminal) Decision: Affirmed in Part; No Error in Part | Iredell | Stroud Hunter Murphy (c) |
| 18-419-1 | In re: Radcliff (Civil) Decision: Affirmed | Iredell | Elmore |

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| 18-222-1 | Bank of Am., N.A. v. Schmitt (Civil) Decision: Vacated and Remanded in part, Affirmed in part | Macon | Dillon |
| 17-1237-1 | State v. Holmes (Criminal) Decision: No error in part; No prejudicial error in part. | Mecklenburg | Murphy |
| 18-250-1 | State v. Byers (Criminal) Decision: Reversed and Remanded | Mecklenburg | McGee John Arrowood(d) |
| 18-385-1 | Servatius v. Ryals (Civil) Decision: Vacated in part and remanded. | Mecklenburg | Zachary |
| 18-488-1 | Peeler v. Joseph (Civil) Decision: Affirmed | Mecklenburg | Arrowood Tyson (d) |
| 18-215-1 | Master v. Country Club of Landfall (Civil) Decision: Affirmed | New Hanover | Berger, Jr. |
| 18-410-1 | Walton v. Walton (Civil) Decision: Affirmed in Part, Reversed in Part and Remanded | New Hanover | Tyson |
| 18-466-1 | Gilmartin v. Gilmartin (Civil) Decision: Affirmed | Pasquotank | Stroud |
| 18-527-1 | State v. Baker (Criminal) Decision: Affirmed in part, reversed in part, and remanded for further proceedings | Pitt | Inman |
| 18-375-1 | State v. Wirt (Criminal) Decision: No Error | Randolph | McGee |
| 18-416-1 | State v. Shuler (Criminal) Decision: Vacated | Swain | Dillon |
| 18-150-1 | Howe v. The Links Club Condo. (Civil) Decision: Affirmed in Part, Reversed in Part and Remanded | Wake | Zachary |
| 18-411-1 | Desmond v. The News & Observer Publ'g Co. (Civil) Decision: Affirmed | Wake | Stroud |
| 18-465-1 | Martin v. Martin (Civil) Decision: Reversed in part and remanded; dismissed in part. | Wake | Zachary |
| 17-1245-1 | State v. Heelan (Criminal) Decision: No Prejudicial Trial Error; SBM Order Reversed | Watauga | Elmore |
| 18-629-1 | Spencer v. Portfolio Recovery Assocs., LLC (Civil) Decision: Dismissed | Yadkin | Stroud |

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| 18-633-1 | In re: E.B.J. (Juvenile - 3.1) Decision: Vacated and Remanded | Alleghany 14JT7 | Tyson |
| 16-652-2 | Wilkie v. City of Boiling Spring Lakes (Civil) Decision: Affirmed in part; Remanded in part | Brunswick 14CVS919 | Berger, Jr. |
| 18-238-1 | Stiles v. Swinging Bridge, LLC (Civil) Decision: AFFIRMED IN PART; VACATED IN PART; REMANDED. | Buncombe 16CVS2735 | Davis Dillon concurring in result (c) |
| 18-124-1 | State v. Delair (Criminal) Decision: No Error | Cabarrus 16CRS53970 | Hunter, Jr. |
| 18-86-1 | Roberts v. Locke (Civil) Decision: Affirmed | Catawba 13CVS2607 | Arrowood |
| 18-319-1 | Am. Express Bank, FSB v. Voyksner (Civil) Decision: Affirmed | Chatham 14CVD427 | Hunter, Jr. |
| 17-1356-1 | State v. Clark (Criminal) Decision: No error in part; No prejudicial error in part. | Cleveland 15CRS54509 | Murphy |
| 18-615-1 | Brinkley Props. of Kings Mountain, LLC v. City of Kings Mountain, NC (Civil) Decision: Affirmed | Cleveland 17CVS212 | Arrowood |
| 18-510-1 | In re: A.K.J. (Juvenile - 3.1) Decision: Reversed | Forsyth 17J19 | Calabria |
| 17-1284-1 | State v. Taylor (Criminal) Decision: New Trial | Gaston 15CRS1557 15CRS2945 15CRS5353 | Inman |
| 18-25-1 | State v. McAbee (Criminal) Decision: Reversed in Part; Vacated in Part | Gaston 16CRS58357 16CRS58364-67 | Bryant |
| 18-635-1 | In re: Toulouse (Civil) Decision: Affirmed | Greene 13E70 | Hunter, Jr. |
| 18-593-1 | In re: R.L.O., L.P.O., C.M.O. (Juvenile - 3.1) Decision: Affirmed in part, reversed in part, vacated in part and remanded. | Iredell 17JT117, 17JT118 17JT119 | Calabria |
| 18-372-1 | State v. Jefferson (Criminal) Decision: Affirmed | Johnston 01CRS51693 | Davis |
| 17-1319-1 | State v. Marquez (Criminal) Decision: No Error | Mecklenburg 15CRS12708 | Berger, Jr. |

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| 18-71-1 | Howard v. OrthoCarolina, P.A. (Civil) Decision: Affirmed | Mecklenburg 08CVS13045 | Inman |
| 18-146-1 | Gee v. Denzer (Civil) Decision: Affirmed | Mecklenburg 17CVD14143 | Inman |
| 18-296-1 | State v. Jarvis (Criminal) Decision: No Error | Mecklenburg 16CRS215435 17CRS8563 | Murphy |
| 18-364-1 | Rosen v. The Club At Longview, LLC (Civil) Decision: Affirmed | Mecklenburg 17CVS7595 | Elmore |
| 18-403-1 | State v. Anthony (Criminal) Decision: Vacated and Remanded | Mecklenburg 15CRS245327 15CRS245331 15CRS245332 15CRS245334 | Dietz |
| 18-424-1 | State v. Orr (Criminal) Decision: No Prejudicial Error | Mecklenburg 17CRS15715 17CRS205845-47 | Elmore |
| 18-618-1 | State v. Timmons (Criminal) Decision: Dismissed | Mecklenburg 16CRS242889 16CRS242891 17CRS34630 | Arrowood |
| 18-650-1 | State v. Hayward (Criminal) Decision: No Error | Mecklenburg 16CRS247411 | Tyson |
| 17-1416-1 | State v. Coomber (Criminal) Decision: No Error | Mitchell 16CRS50531 | Berger, Jr. |
| 18-246-1 | Schneeman v. Food Lion, LLC (Civil) Decision: Affirmed | N.C. Industrial Commission 15-029812 | Davis |
| 18-348-1 | Glasgow v. Peoplelease Corp. (Civil) Decision: Affirmed | N.C. Industrial Commission 15-031891 | Dietz |
| 18-567-1 | Brunson v. Off. of The NC Gen. Assembly (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26220 | McGee |
| 18-568-1 | Brunson v. Off. of the Dist. Att'y For The 12th Prosecutorial Dist. (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26221 | McGee |
| 18-569-1 | Brunson v. Off. of the 12th Judiciary (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26222 | McGee |

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| 18-570-1 | Brunson v. Off. of the Dist. Att'y for the 12th Prosecutorial Dist. (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26223 | McGee |
| 18-571-1 | Brunson v. Off. of the Governor Of The State of NC (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26224 | McGee |
| 18-572-1 | Brunson v. Off. of the Dist. Att'y for the 12th Prosecutorial Dist. (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26225 | McGee |
| 18-573-1 | Brunson v. Off. of the 12th Judiciary (Civil) Decision: Dismissed | N.C. Industrial Commission TA-26238 | McGee |
| 18-588-1 | Sides v. Ashley Furniture Indus., Inc. (Civil) Decision: Affirmed | N.C. Industrial Commission 16-004856 | Arrowood |
| 18-657-1 | Brunson v. NC Dep't of Pub. Safety (Civil) Decision: Affirmed | N.C. Industrial Commission TA-25705 | McGee |
| 18-658-1 | Brunson v. Off. Of The Dist. Att'y For The 12th Prosecutorial Dist. (Civil) Decision: Affirmed | N.C. Industrial Commission TA-25775 | McGee |
| 18-659-1 | Brunson v. NC Innocence Inquiry Comm'n (Civil) Decision: Affirmed | N.C. Industrial Commission TA-25828 | McGee |
| 17-1329-1 | Simmons v. New Hanover Cty. Sch. Sys. (Civil) Decision: Modified and Affirmed | New Hanover 17CVS1737 | Murphy |
| 18-505-1 | Martin v. The Landfall Council of Ass'ns, Inc. (Civil) Decision: Dismissed | New Hanover 16CVS2284 | Zachary |
| 18-117-1 | State v. Daw (Criminal) Decision: No Error | Onslow 16CRS52399 | Inman |
| 18-323-1 | Reid v. Sterritt (Civil) Decision: Reversed and remanded. | Pasquotank 16CVS766 | Calabria |
| 18-678-1 | Carey v. Cherubini (Civil) Decision: Affirmed in part and remanded for additional findings. | Pender 16CVD691 | Arrowood |
| 18-91-1 | State v. Samuel (Criminal) Decision: Reversed and Remanded | Perquimans 12CRS50124 17CRS118 | Bryant |

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| 16-1107-2 | State v. Langley (Criminal) Decision: No Error | Pitt 14CRS3412 14CRS3452 14CRS3454 14CRS57851-54 | Murphy |
| 18-528-1 | State v. Stancill (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 16CRS426 | Inman |
| 18-699-1 | State v. Floars (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 16CRS55645 | Inman |
| 18-700-1 | State v. Jones (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 15CRS56923 | Inman |
| 18-701-1 | State v. Gross (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 15CRS3447 | Inman |
| 18-702-1 | State v. Hill (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 14CRS2669 14CRS2673-74 | Inman |
| 18-703-1 | State v. Joyner (Criminal) Decision: Affirmed in part; reversed in part; remanded for further proceedings | Pitt 14CRS4386 14CRS59716 | Inman |
| 18-713-1 | Fischer v. Fagan (Civil) Decision: Affirmed in Part; Dismissed in Part. | Polk 15CVS122 | Hunter, Jr. |
| 18-55-1 | State v. Taylor (Criminal) Decision: Affirmed | Robeson 11CRS52162 | Davis Elmore, concurring in part and dissenting in part. |
| 18-511-1 | In re: B.A.S. & K.H.S. (Juvenile - 3.1) Decision: Affirmed | Rockingham 16JT10-11 | Tyson |
| 18-647-1 | In re: I.N.S. (Juvenile - 3.1) Decision: Dismissed | Surry 16JT64 | Zachary |
| 17-1307-1 | State v. Acosta (Criminal) Decision: No error in part; Affirmed in part. | Wake 16CRS208707 | Murphy |
| 18-437-1 | In re: B.W. (Juvenile - Criminal) Decision: Reversed in part; Vacated in part. | Wake 17JB431 | Murphy |
| 18-346-1 | State v. Stancil (Criminal) Decision: No Error | Wayne 15CRS51463 | Stroud |