

**IN THE COURT OF APPEALS**

**CASES REPORTED WITH PUBLISHED OPINIONS**

**(FILED 19 DECEMBER 2023)**  
**(MANDATE 8 JANUARY 2024)**

| Docket #  | Title                                                                                                            | County                     | Judge                  |
|-----------|------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------|
| 23-592-1  | State v. McCrorey (Criminal)<br><b>Decision:</b> No Error                                                        | Cabarrus                   | Flood                  |
| 23-114-1  | In re: M.M., E.M., J.M., S.M., C.M. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                | Cleveland                  | Collins                |
| 23-314-1  | State v. Rubenstahl (Criminal)<br><b>Decision:</b> No Error                                                      | Cumberland                 | Dillon                 |
| 22-846-1  | State v. Michael (Criminal)<br><b>Decision:</b> No Error                                                         | Davidson                   | Dillon<br>Arrowood (c) |
| 23-497-1  | In re: Seamon (Civil)<br><b>Decision:</b> Affirmed                                                               | Davie                      | Collins                |
| 23-296-1  | In re: K.N. & K.N. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                                 | Forsyth                    | Tyson                  |
| 23-313-1  | State v. Figueroa (Criminal)<br><b>Decision:</b> no plain error and no error                                     | Guilford                   | Collins                |
| 23-256-1  | State v. Shumate (Criminal)<br><b>Decision:</b> No Error                                                         | McDowell                   | Carpenter              |
| 23-122-1  | Elite Home Health Care, Inc. v. N.C. Dep't of<br>Health & Hum. Servs. (Civil)<br><b>Decision:</b> Affirmed.      | Mecklenburg                | Zachary                |
| 23-472-1  | Cranes Creek, LLC v. Neal Smith Eng'g, Inc.<br>(Civil)<br><b>Decision:</b> Affirmed                              | Moore                      | Griffin                |
| 23-267-1  | Lassiter v. Robeson Cnty. Sheriff's Dep't (Civil)<br><b>Decision:</b> Affirmed in Part and Reversed in Part      | N.C. Industrial Commission | Griffin                |
| 23-246-1  | State v. Burnett (Criminal)<br><b>Decision:</b> No Error                                                         | New Hanover                | Tyson                  |
| 22-620-1  | State v. Hill (Criminal)<br><b>Decision:</b> no error in part; vacated in part; and<br>remanded for resentencing | Onslow                     | Stroud<br>Tyson(c)     |
| 23-685-1  | Carcano v. JBSS, LLC (Civil)<br><b>Decision:</b> Affirmed in Part, Reversed in Part, and<br>Remanded             | Rutherford                 | Flood                  |
| 22-932-1  | State v. Bethea (Criminal)<br><b>Decision:</b> No Error                                                          | Scotland                   | Collins                |
| 22-1034-1 | State v. Gregory (Criminal)<br><b>Decision:</b> No Error                                                         | Wake                       | Gore<br>Hampson(d)     |

| Docket # | Title                                                    | County | Judge |
|----------|----------------------------------------------------------|--------|-------|
| 23-51-1  | State v. Saldana (Criminal)<br><b>Decision:</b> Affirmed | Wayne  | Wood  |

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| 23-536-1 | In re: S.Z.H., K.K.H., J.S.B.H., J.Z.H. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed            | Alamance<br>21JT146,21JT147,21JT148,21JT149                  | Per Curiam |
| 23-587-1 | In re: K.R.C. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                      | Alamance<br>21JT101                                          | Per Curiam |
| 23-219-1 | In re: D.L. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed in Part; Vacated in Part, and Remanded | Alexander<br>20JA42                                          | Hampson    |
| 23-522-1 | In re: Z.Y. (Juvenile - 3.1)<br><b>Decision:</b> Vacated and Remanded                            | Alexander<br>21JA43                                          | Flood      |
| 23-85-1  | State v. Burrus (Criminal)<br><b>Decision:</b> Affirmed                                          | Beaufort<br>18CRS51590                                       | Griffin    |
| 23-445-1 | In re: I.G., P.G., S.G., B.G., L.G. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                | Beaufort<br>22JT42,22JT43,22JT44,22JT45,22JT46               | Per Curiam |
| 23-654-1 | State v. Freeman (Criminal)<br><b>Decision:</b> Reversed in Part and Remanded                    | Buncombe<br>21CRS86691-98,22CRS3-35860,22CRS84072,23CRS54-56 | Carpenter  |
| 22-516-1 | State v. Porter (Criminal)<br><b>Decision:</b> No Error                                          | Cabarrus<br>18CRS52885,18CRS52926                            | Stading    |
| 22-906-1 | State v. Duncan (Criminal)<br><b>Decision:</b> Dismissed                                         | Catawba<br>19CRS53701-02,20CRS1227                           | Carpenter  |
| 23-49-1  | State v. Yates (Criminal)<br><b>Decision:</b> Dismissed in Part; No Error in Part                | Chatham<br>19CRS50643-46                                     | Hampson    |
| 23-97-1  | In re: H.R.M. (Juvenile - 3.1)<br><b>Decision:</b> Vacated and Remanded                          | Chatham<br>17JT37                                            | Stading    |
| 23-514-1 | Bettis v. Weiss (Civil)<br><b>Decision:</b> Dismissed                                            | Craven<br>21CVS294                                           | Arrowood   |
| 23-188-1 | In re: A.C. (Juvenile - 3.1)<br><b>Decision:</b> Affirmed                                        | Cumberland<br>19JA301                                        | Tyson      |
| 23-325-1 | Global Outreach Tele-Rehab. Servs., Inc. v. Woods (Civil)<br><b>Decision:</b> Affirmed           | Cumberland<br>20CVS2439                                      | Carpenter  |
| 23-450-1 | State v. Blue (Criminal)                                                                         | Dare<br>21CRS50682-83,22CRS30-31                             | Carpenter  |

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|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 23-499-1  | In re: G.R.N. (Juvenile - 3.1)                                                 | Davidson<br>21JA5                                                                | Gore                     |
|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 23-456-1  | In re: N.T., N.R., A.C. (Juvenile - 3.1)                                       | Durham<br>18J130,18J132,18J133                                                   | Per Curiam               |
|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 22-779-1  | State v. Pittman (Criminal)                                                    | Edgecombe<br>19CRS50399,21CRS606                                                 | Stroud                   |
|           | <b>Decision:</b> no error in part; remanded in part                            |                                                                                  |                          |
| 23-265-1  | In re: J.K., C.K., J.K., K.K. (Juvenile - 3.1)                                 | Edgecombe<br>22JA19,22JA20,22JA21,22JA22<br>22JA104,22JA105,22JA10-<br>6,22JA107 | Zachary                  |
|           | <b>Decision:</b> Affirmed.                                                     |                                                                                  |                          |
| 23-359-1  | State v. Johnson (Criminal)                                                    | Forsyth<br>20CRS51343                                                            | Flood                    |
|           | <b>Decision:</b> No Error                                                      |                                                                                  |                          |
| 23-776-1  | State v. Bowen (Criminal)                                                      | Forsyth<br>17CRS53913                                                            | Per Curiam               |
|           | <b>Decision:</b> Dismissed                                                     |                                                                                  |                          |
| 23-427-1  | Lopez v. The Prudential Ins. Co. of Am. (Civil)                                | Gaston<br>20CVS1700                                                              | Flood                    |
|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 23-225-1  | State v. Berryman (Criminal)                                                   | Graham<br>21CRS285,21CRS288,21-<br>CRS299                                        | Arrowood                 |
|           | <b>Decision:</b> Affirmed in part and remanded for correction to the judgment. |                                                                                  |                          |
| 23-21-1   | In re: M.E.W. (Juvenile - Criminal)                                            | Guilford<br>20JB697                                                              | Stading<br>Dillon (c)(d) |
|           | <b>Decision:</b> Affirmed in Part; Remanded in Part                            |                                                                                  |                          |
| 23-341-1  | Parker v. McCoy (Civil)                                                        | Guilford<br>20CVD3674                                                            | Griffin                  |
|           | <b>Decision:</b> Vacated and Remanded                                          |                                                                                  |                          |
| 23-435-1  | In re: E.R.B. (Juvenile - 3.1)                                                 | Haywood<br>21JT27                                                                | Per Curiam               |
|           | <b>Decision:</b> Affirmed.                                                     |                                                                                  |                          |
| 23-204-1  | State v. C.K.D. (Criminal)                                                     | Iredell<br>19CRS51918,22R306                                                     | Arrowood                 |
|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 22-1026-1 | Matthews v. Herring (Civil)                                                    | Johnston<br>19SP654                                                              | Murphy                   |
|           | <b>Decision:</b> Affirmed                                                      |                                                                                  |                          |
| 23-321-1  | State v. Green (Criminal)                                                      | Lee<br>16CRS51444                                                                | Gore                     |
|           | <b>Decision:</b> No Error                                                      |                                                                                  |                          |
| 23-311-1  | State v. Loftis (Criminal)                                                     | McDowell<br>20CRS51264-65                                                        | Per Curiam               |
|           | <b>Decision:</b> No Error                                                      |                                                                                  |                          |
| 23-574-1  | In re: L.A.S. (Juvenile - 3.1)                                                 | McDowell<br>21JT88                                                               | Per Curiam               |

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|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 22-835-1 | In re: Z.S.J. (Juvenile - 3.1)                                                       | Mecklenburg<br>18JT199                  | Per Curiam |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-110-1 | State v. Garcia (Criminal)                                                           | Mecklenburg<br>17CRS210128              | Carpenter  |
|          | <b>Decision:</b> No Error                                                            |                                         |            |
| 23-399-1 | In re: D.A.M. (Juvenile - 3.1)                                                       | Mecklenburg<br>19JT151                  | Murphy     |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-560-1 | Riffle v. Est. of Larry Morgan (Civil)                                               | Mecklenburg<br>21CVS3868                | Gore       |
|          | <b>Decision:</b> Dismissed                                                           |                                         |            |
| 23-523-1 | State v. Self (Criminal)                                                             | Mitchell<br>22CRS192,22CRS50092         | Gore       |
|          | <b>Decision:</b> NO PLAIN ERROR                                                      |                                         |            |
| 23-363-1 | Porter v. Alliance Credit Counseling (Civil)                                         | N.C. Industrial Commission<br>16-053823 | Gore       |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-595-1 | Nelson v. The Goodyear Tire & Rubber, Co. (Civil)                                    | N.C. Industrial Commission<br>18-053490 | Flood      |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-213-1 | Little v. Clay (Civil)                                                               | New Hanover<br>22CVS353                 | Griffin    |
|          | <b>Decision:</b> Remanded                                                            |                                         |            |
| 23-428-1 | In re: L.A.R. (Juvenile - 3.1)                                                       | New Hanover<br>17JT139                  | Hampson    |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 22-658-1 | State v. Johnson (Criminal)                                                          | Pasquotank<br>18CRS317,19CRS364-65      | Murphy     |
|          | <b>Decision:</b> No error in part; remanded for correction of clerical error in part |                                         |            |
| 23-402-1 | In re: J.H. (Juvenile - 3.1)                                                         | Perquimans<br>19JT12                    | Murphy     |
|          | <b>Decision:</b> Reversed                                                            |                                         |            |
| 22-855-1 | Simmons v. Simmons (Civil)                                                           | Pitt<br>19CVD2825                       | Stroud     |
|          | <b>Decision:</b> reversed in part; vacated in part                                   |                                         |            |
| 23-506-1 | In re: T.L.A. (Juvenile - 3.1)                                                       | Randolph<br>21JT69                      | Per Curiam |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-552-1 | State v. Steele (Criminal)                                                           | Randolph<br>18CRS55178                  | Flood      |
|          | <b>Decision:</b> No Error                                                            |                                         |            |
| 23-518-1 | In re: I.K., K.B., J.B. (Juvenile - 3.1)                                             | Rowan<br>19JT153-155                    | Per Curiam |
|          | <b>Decision:</b> Affirmed                                                            |                                         |            |
| 23-648-1 | State v. Ott (Criminal)                                                              | Scotland<br>21CRS52308                  | Per Curiam |
|          | <b>Decision:</b> Affirmed.                                                           |                                         |            |
| 23-664-1 | State v. George (Criminal)                                                           | Surry<br>20CRS50453                     | Per Curiam |

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|          | <b>Decision:</b> No Error                  |                   |            |
| 23-513-1 | Robertson v. Zaxby's of Knightdale (Civil) | Wake<br>22CVS129  | Per Curiam |
|          | <b>Decision:</b> Affirmed                  |                   |            |
| 23-406-1 | Honeycutt v. Velasquez-Morales (Civil)     | Wayne<br>20CVS592 | Dillon     |
|          | <b>Decision:</b> No Error                  |                   |            |
| 23-276-1 | In re: R-M.M.A. (Juvenile - 3.1)           | Yancey<br>21JT2   | Per Curiam |
|          | <b>Decision:</b> Affirmed                  |                   |            |
| 23-422-1 | In re: S.O.R. (Juvenile - 3.1)             | Yancey<br>19JT31  | Per Curiam |
|          | <b>Decision:</b> Affirmed                  |                   |            |