

N.C. Court Of Appeals Releases Rulings

By Administrator

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RALEIGH, (SGRToday.com) - The state's second-highest court has released a new slate of rulings. The decision of the North Carolina Court of Appeals can be found at

<http://appellate.nccourts.org/opinions/> The cases are: -- Green v. Kelischek,
(13-981) Custody
Modification Order; Changed Circumstances; Relocation

-- Huttig Bldg. Prods., Inc. v. McDonald, (13-1419)

Party Aggrieved

-- In re Duke Energy Corp., (13-880)

Dismissal of appeal by trial tribunal; standing to intervene in Utilities Commission

-- In re Moore, (13-1397)

Involuntary commitment, respondent may waive his right to challenge sufficiency of facts in the affidavit or petition if issue is not timely raised; trial court can make evidentiary findings of fact; trial court's ultimate finding of fact that respondent was a danger to himself supported by findings of facts that indicated future conduct

-- McLennan v. Josey, (13-1271)

Boundary dispute, establishing on-the-ground location

-- Nanny's Korner Care Ctr. v. N.C. Dep't of Health & Human Servs., (13-602)

Administrative Procedure Act; Substantiation of Abuse; Due Process

-- Sims v. Grayston Ophthalmology Assocs., P.A., (13-870)

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summary judgment; negligence; contributory negligence

-- State v. Foushee, (13-846)

Failure to Investigate as Discovery Violation

-- State v. Jackson, (13-743)

Reasonable suspicion

--State v. Rouse, (13-1104)

Right to counsel, resentencing

-- Tyll v. Berry, (13-512)

Contempt and 50C order