

IN THE SUPREME COURT OF NORTH CAROLINA

No. 39A98

FILED: 9 JULY 1998

TERRY W. BANKS, individually and as guardian ad litem of
TERECIA L. BANKS; DEBORAH P. BOWMAN, individually and as guardian
ad litem of K. DAWN BOWMAN; SUSAN G. CAMERON, individually and as
guardian ad litem of CARRIE D. CAMERON; MICHAEL W. MOORE,
individually and as guardian ad litem of MATTHEW W. MOORE;
PAUL J. PLESS, JR., individually and as guardian ad litem of
JOSEPH H. PLESS; BENNIE LEE TATE, individually and as guardian ad
litem of CHARMIE A. TATE; and THE BUNCOMBE COUNTY BOARD OF
EDUCATION, a body corporate,
Plaintiffs

v.

THE COUNTY OF BUNCOMBE, a body politic and corporate of the State
of North Carolina; and THE BOARD OF COMMISSIONERS FOR THE COUNTY
OF BUNCOMBE, governing board of the County of Buncombe,
Defendants
and
ASHEVILLE CITY BOARD OF EDUCATION, a body corporate,
Intervenor Defendant

Appeal by plaintiffs pursuant to N.C.G.S. § 7A-30(2)
from the decision of a divided panel of the Court of Appeals, 128
N.C. App. 214, 494 S.E.2d 791 (1998), finding no error in a trial
that resulted in a judgment for defendants and intervenor-
defendant entered by Bogle, J., on 3 September 1996 in Superior
Court, Buncombe County. Heard in the Supreme Court 29 May 1998.

*Roberts & Stevens, P.A., by Walter L. Currie and
Cynthia S. Lopez, for plaintiff-appellants.*

*County Attorney's Office, by Joseph A. Connolly,
Buncombe County Attorney, for defendant-appellees; and
Schwartz & Shaw, P.L.L.C., by Brian C. Shaw and Ann S.
Estridge, for intervenor-defendant-appellee.*

PER CURIAM.

AFFIRMED.