

IN THE SUPREME COURT OF NORTH CAROLINA

No. 75A98

In re:

PERRY HARRINGTON,
Employee

v.

ADAMS-ROBINSON ENTERPRISES,
Employer,
WAUSAU INSURANCE COMPANY,
Carrier

Appeal by defendants pursuant to N.C.G.S. § 7A-30(2) of the decision of a divided panel of the Court of Appeals, 128 N.C. App. 496, 495 S.E.2d 377 (1998), reversing an opinion and award entered by the North Carolina Industrial Commission on 29 October 1996. Heard in the Supreme Court on 28 September 1998.

Brenton D. Adams for plaintiff-appellee.

Teague, Campbell, Dennis & Gorham, L.L.P., by Linda Stephens and Gregory M. Willis, for defendant-appellants.

Delaney and Sellars, P.A., by Mark T. Sumwalt; and Law Offices of Robin E. Hudson, by Robin E. Hudson and Anna Harris Stein, on behalf of North Carolina Academy of Trial Lawyers, amicus curiae.

PER CURIAM.

For the reasons stated in the dissenting opinion of Judge Walker in the Court of Appeals, the decision of the Court of Appeals is reversed.

REVERSED.

Justice WYNN did not participate in the consideration or decision of this case.