

IN THE SUPREME COURT OF NORTH CAROLINA

No. 541PA97

CARL SPEARS, d/b/a PIEDMONT REALTY

v.

CENTURA BANK

On writ of certiorari pursuant to N.C.G.S. § 7A-32(b) to review the unpublished decision of the Court of Appeals, 127 N.C. App. 397, 490 S.E.2d 256 (1997), and to review a judgment entered 17 May 1996 by Barnette, J., in Superior Court, Wake County. Heard in the Supreme Court 28 September 1998.

*Donald B. Hunt for plaintiff-appellant.*

*Poyner & Spruill, L.L.P., by David Dreifus and Eric P. Stevens, for defendant-appellee.*

PER CURIAM.

CERTIORARI IMPROVIDENTLY ALLOWED.

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