

IN THE SUPREME COURT OF NORTH CAROLINA

No. 277PA98

FILED: 5 February 1999

MICHAEL L. SWEENEY

v.

WAKE COUNTY

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous, unpublished decision of the Court of Appeals, 129 N.C. App. 846, 504 S.E.2d 821 (1998), affirming an order of dismissal entered 25 August 1997 by LaBarre, J., in Superior Court, Wake County. Heard in the Supreme Court 13 January 1999.

*Brady, Schilawski & Ingram, P.L.L.C., by John Randolph Ingram, II, for plaintiff-appellant.*

*Wake County Attorney's Office, by Michael R. Ferrell and Corinne G. Russell, for defendant-appellee.*

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.