

IN THE SUPREME COURT OF NORTH CAROLINA

No. 203A99

DELORES D. ROBINSON

v.

STATE OF NORTH CAROLINA, EAST CAROLINA UNIVERSITY

Appeal by defendant pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 514 S.E.2d 301 (1999), affirming a decision and order of the North Carolina Industrial Commission entered 10 March 1998. Heard in the Supreme Court 17 September 1999.

Gray, Newell & Johnson, L.L.P., by S. Camille Payton and Mark V.L. Gray, for plaintiff-appellee.

Michael F. Easley, Attorney General, by Don Wright, Assistant Attorney General, for defendant-appellant.

PER CURIAM.

For the reasons stated in the dissenting opinion of Eagles, C.J., the decision of the Court of Appeals, which affirmed the decision and order of the Industrial Commission, is reversed. This case is remanded to the Court of Appeals for further remand to the Industrial Commission for entry of judgment in favor of defendant State of North Carolina, East Carolina University.

REVERSED AND REMANDED.