

IN THE SUPREME COURT OF NORTH CAROLINA

No. 47A99

FILED 3 DECEMBER 1999

SAMMY E. ESTRIDGE, III

v.

HOUSECALLS HEALTHCARE GROUP, INC.; TERRY JUDSON WARD; CAROL WARD;
and CHRISTINE STEWART

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 131 N.C. App. 744, 509 S.E.2d 219 (1998), affirming in part and reversing in part a judgment signed 23 May 1997 by McHugh, J., in Superior Court, Guilford County, and remanding for a new trial. Heard in the Supreme Court 17 November 1999.

Tuggle Duggins & Meschan, P.A., by Robert C. Cone and J. Reed Johnston, Jr., for plaintiff-appellant.

Smith Helms Mulliss & Moore, L.L.P., by J. Donald Cowan, Jr.; James G. Exum, Jr.; and Paul K. Sun, Jr., for defendant-appellees.

PER CURIAM.

As to the issue regarding the admission of Robert Nowell's testimony, the decision of the Court of Appeals is reversed for the reasons stated in Chief Judge Eagles' dissent.

REVERSED.

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