

IN THE SUPREME COURT OF NORTH CAROLINA

No. 539A99

FILED: 7 APRIL 2000

K&S ENTERPRISES

v.

KENNEDY OFFICE SUPPLY COMPANY, INC.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 520 S.E.2d 122 (1999), affirming a judgment entered 30 June 1998 by Smith (John W.), J., in District Court, New Hanover County.

Heard in the Supreme Court 14 March 2000.

Donald E. Britt, Jr., and Nora Henry Hargrove for plaintiff-appellee.

George B. Currin for defendant-appellant.

PER CURIAM.

AFFIRMED.