

DIALYSIS CARE OF NORTH CAROLINA, LLC, d/b/a DCNC, LLC, d/b/a
DIALYSIS CARE OF ROWAN COUNTY, Petitioner v. NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF FACILITY
SERVICES, CERTIFICATE OF NEED SECTION, Respondent, and
BIO-MEDICAL APPLICATIONS OF NORTH CAROLINA, INC. d/b/a BMA OF
KANNAPOLIS d/b/a METROLINA KIDNEY CENTER OF KANNAPOLIS (LESSEE)
AND METROLINA NEPHROLOGY ASSOCIATES, P.A. (LESSOR),
Respondent-Intervenors

No. 252A00

(Filed 21 December 2000)

No Headnotes.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of
a divided panel of the Court of Appeals, 137 N.C. App. 638, 529
S.E.2d 257 (2000), affirming a final agency decision entered by
the Division of Facility Services of the North Carolina
Department of Health and Human Services on 9 December 1998.
Heard in the Supreme Court 18 October 2000.

*Poyner & Spruill L.L.P., by William R. Shenton, Thomas R.
West, and Pamela A. Scott, for petitioner-appellant.*

*Michael F. Easley, Attorney General, by James A. Wellons,
Special Deputy Attorney General, for respondent-appellee;
and Law Office of Joy H. Thomas, by Joy H. Thomas, for
respondent-intervenor-appellees.*

PER CURIAM.

AFFIRMED.