

SONJA EVETTE PRICE v. CITY OF WINSTON-SALEM

No. 21A01

FILED: 5 OCTOBER 2001

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 141 N.C. App. 55, 539 S.E.2d 304 (2000), reversing and remanding an order for summary judgment entered 24 May 1999 by Doughton, J., in Superior Court, Forsyth County. Heard in the Supreme Court 10 September 2001.

*Kennedy, Kennedy, Kennedy and Kennedy, L.L.P., by Harold L. Kennedy, III, and Harvey L. Kennedy, for plaintiff-appellee.*

*Womble Carlyle Sandridge & Rice, PLLC, by Gusti W. Frankel and Alison R. Bost, for defendant-appellant.*

PER CURIAM.

Justice EDMUNDS did not participate in the consideration or decision of this case. The remaining members of this Court were equally divided, with three members voting to affirm the decision of the Court of Appeals and three members voting to reverse. Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. See *Williamson v. Bullington*, 353 N.C. 363, 544 S.E.2d 221 (2001); *Reese v. Barbee*, 350 N.C. 60, 510 S.E.2d 374 (1999).

AFFIRMED.