

WILLIAM DONALD BRITT v. GEORGE DOUGLAS HAYES

No. 115PA01

(Filed 9 November 2001)

On discretionary review pursuant to N.C.G.S. § 7A-31 of a decision of the Court of Appeals, 142 N.C. App. 190, 541 S.E.2d 761 (2001), reversing and remanding an order for summary judgment entered 7 April 1999 and an order denying plaintiff's motion for a new trial signed 3 May 1999 by Gore, J., in Superior Court, Bladen County. On 3 May 2001, the Supreme Court allowed plaintiff's conditional petition for discretionary review as to additional issues. Heard in the Supreme Court 15 October 2001.

*Hester, Grady, Hester & Payne, by H. Clifton Hester, for plaintiff-appellant and -appellee.*

*Anderson, Daniel & Coxe, by Bradley A. Coxe, for defendant-appellant and -appellee.*

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.