

HANES CONSTRUCTION COMPANY, A North Carolina Corporation v.  
HOTMIX & BITUMINOUS EQUIP. CO., INC.

No. 563A01

(Filed 18 December 2001)

**Jurisdiction--breach of contract--out-of-state seller--long-arm  
statute--minimum contacts**

The decision of the Court of Appeals that the trial court had personal jurisdiction over the out-of-state seller of asphalt equipment in a breach of contract action is reversed for the reasons stated in the dissenting opinion in the Court of Appeals that personal jurisdiction over defendant was not authorized by the long-arm statute, N.C.G.S. § 1-75.4, and that the exercise of personal jurisdiction over defendant violated due process because defendant had insufficient minimum contacts with this state.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 146 N.C. App. 24, 552 S.E.2d 177 (2001), reversing and remanding an order signed 4 April 2000 by Burke, J., in Superior Court, Davidson County. Heard in the Supreme Court 11 December 2001.

*Cunningham Crump & Cunningham, PLLC, by R. Flint Crump, for plaintiff-appellee.*

*Brinkley Walser, PLLC, by Stephen W. Coles, for defendant-appellant.*

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed.

REVERSED.