

IN THE SUPREME COURT OF NORTH CAROLINA

No. 588A01

FILED: 5 APRIL 2002

WILLIAM J. PATTERSON, LISA K. PATTERSON

v.

PHILIP SWEATT, individually and in his official capacity, PHILLIP RAINWATER, individually and in his official capacity, WENDELL SESSOMS, individually and in his official capacity, DALE FURR, Sheriff of Richmond County, and WESTERN SURETY COMPANY, as surety

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. 351, 553 S.E.2d 404 (2001), affirming an order entered 9 February 2000 by Spainhour, J., in Superior Court, Richmond County. Heard in the Supreme Court 12 March 2002.

*Henry T. Drake for plaintiff-appellants.*

*Stott, Hollowell, Palmer & Windham, L.L.P., by Martha Raymond Thompson, for defendant-appellees Philip Sweatt, Phillip Rainwater, Wendell Sessoms, and Dale Furr.*

*Kitchin, Neal, Webb, Webb & Futrell, P.A., by Stephan R. Futrell, for defendant-appellee Western Surety Company.*

PER CURIAM.

AFFIRMED.