

IN THE SUPREME COURT OF NORTH CAROLINA

No. 34A02

FILED: 4 OCTOBER 2002

DALLAS SWINSON

v.

LEJEUNE MOTOR COMPANY, INC.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 147 N.C. App. 610, 557 S.E.2d 112 (2001), reversing a judgment signed 26 August 2000 by Balog, J., in Superior Court, Onslow County. Heard in the Supreme Court 11 September 2002.

*Jeffrey S. Miller for plaintiff-appellee.*

*Wallace, Morris & Barwick, P.A., by P.C. Barwick, Jr., for defendant-appellant.*

PER CURIAM.

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

REVERSED.

Chief Justice LAKE did not participate in the consideration or decision of this case.