

IN THE SUPREME COURT OF NORTH CAROLINA

No. 89A02

FILED: 4 OCTOBER 2002

JERRY GOYNIAS

v.

SPA HEALTH CLUBS, INC.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 148 N.C. App. 554, 558 S.E.2d 880 (2002), affirming an order for summary judgment entered 13 April 2000 by Hudson, J., in Superior Court, Orange County. Heard in the Supreme Court 9 September 2002.

*Anderson Law Firm, by Michael J. Anderson, for plaintiff-appellant.*

*Little & Little, PLLC, by Cathryn M. Little, for defendant-appellee.*

PER CURIAM.

AFFIRMED.