

IN THE SUPREME COURT OF NORTH CAROLINA

No. 10A02

FILED: 4 OCTOBER 2002

TALLY EDDINGS, M.D.

v.

SOUTHERN ORTHOPEDIC AND MUSCULOSKELETAL ASSOCIATES, 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. 375, 555 S.E.2d 649 (2001), reversing and remanding an order entered 30 June 2000 by Downs, J., in Superior Court, Buncombe County. Heard in the Supreme Court 10 September 2002.

*Kelly & Rowe, P.A., by E. Glenn Kelly, for plaintiff-appellant.*

*McGuire, Wood & Bisette, P.A., by T. Douglas Wilson, Jr., for defendant-appellee.*

PER CURIAM.

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

REVERSED.

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