

IN THE SUPREME COURT OF NORTH CAROLINA

No. 277A02

FILED: 22 NOVEMBER 2002

YOLANDRA BEST and ROY HUDSON,
Petitioners

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES, JOHN UMSTEAD HOSPITAL,
Respondent

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 149 N.C. App. 882, 563 S.E.2d 573 (2002), affirming an order entered 24 October 2000 by Jones (Abraham Penn), J., in Superior Court, Wake County. Heard in the Supreme Court 17 October 2002.

Grafstein & Walczyk, P.L.L.C., by Lisa Grafstein, for petitioner-appellee Roy Hudson; and Konrad Schoen for petitioner-appellee Yolandra Best.

Roy Cooper, Attorney General, by Richard E. Slipsky, Special Deputy Attorney General, for respondent-appellant.

Patterson, Harkavy & Lawrence, L.L.P., by Ann Groninger, on behalf of the American Civil Liberties Union of North Carolina Legal Foundation, Inc., and North Carolina Academy of Trial Lawyers, amici curiae; and Seth Jaffe, on behalf of the American Civil Liberties Union of North Carolina Legal Foundation, Inc.

PER CURIAM.

AFFIRMED.