

IN THE SUPREME COURT OF NORTH CAROLINA

No. 70A03

FILED: 13 JUNE 2003

DONNA PITTMAN,
Petitioner

v.

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES,
Respondent

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 573 S.E.2d 628 (2002), affirming an order entered 13 July 2001 by Judge Knox V. Jenkins, Jr., in Superior Court, Johnston County. Heard in the Supreme Court 5 May 2003.

Mast, Schulz, Mast, Mills, Stem & Johnson, P.A., by David F. Mills, for petitioner-appellant.

Roy Cooper, Attorney General, by Thomas M. Woodward, Assistant Attorney General, for respondent-appellee.

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals.

REVERSED.