

IN THE SUPREME COURT OF NORTH CAROLINA

No. 9A03

FILED: 13 JUNE 2003

STATE EMPLOYEES ASSOCIATION OF NORTH CAROLINA, INC.

v.

STATE OF NORTH CAROLINA; MICHAEL F. EASLEY, Governor of North Carolina; EDWARD RENFROW, State Controller of North Carolina; and DAVID T. MCCOY, State Budget Officer of North Carolina

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 154 N.C. App. 207, 573 S.E.2d 525 (2002), affirming an order entered 29 May 2001 by Judge Narley L. Cashwell in Superior Court, Wake County. Heard in the Supreme Court 7 May 2003.

*State Employees Association of North Carolina, Inc., by Thomas A. Harris, General Counsel, for plaintiff-appellants.*

*Roy Cooper, Attorney General, by Norma S. Harrell, Alexander McC. Peters, and John R. Corne, Special Deputy Attorneys General, and Robert M. Curran, Assistant Attorney General, for defendant-appellees.*

*Southern Environmental Law Center, by Donnell Van Noppen III, Michelle B. Nowlin, and Sierra B. Weaver, on behalf of North Carolina Bar Association, North Carolina Academy of Trial Lawyers, North Carolina Association of Educators, North Carolina Citizens for Business and Industry, North Carolina Federation of Independent Businesses, North Carolina Forestry Association, North Carolina School Boards Association, Inc., North Carolina Chapter of the American Institute of Architects, North Carolina Automobile Dealers Association, North Carolina Association of Certified Public Accountants, North Carolina Association of Administrators, North Carolina Conference of the American Association of University Professors, Sierra Club, Conservation Council of North Carolina, Southern Environmental Law Center, Manufacturers and Chemical Industry Council of North Carolina, amici curiae.*

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals and remand this case to that court for consideration of the remaining assignments of error.

REVERSED and REMANDED.