

IN THE SUPREME COURT OF NORTH CAROLINA

No. 381PA03

FILED: 2 APRIL 2004

THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY DRAINAGE DISTRICT NO. 3, THE BOARD OF DRAINAGE COMMISSIONERS OF EDGEcombe COUNTY, DISTRICT NO. 2, THE BOARD OF DRAINAGE COMMISSIONERS OF CHOWAN COUNTY, DISTRICT NO. 3, THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY, DISTRICT NO. 2, THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY, DISTRICT NO. 4, THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY, DISTRICT NO. 7, THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY, DISTRICT NO. 8, THE BOARD OF DRAINAGE COMMISSIONERS OF PITT COUNTY, DISTRICT NO. 9, THE BOARD OF DRAINAGE COMMISSIONERS OF LENOIR/CRAVEN/JONES, DISTRICT NO. 1, THE BOARD OF DRAINAGE COMMISSIONERS OF PERQUIMANS COUNTY, DISTRICT NO. 4, THE BOARD OF DRAINAGE COMMISSIONERS OF WAYNE COUNTY, DISTRICT NO. 1, and SOUTHEASTERN DRAINAGE OFFICE, INC.

v.

TERRY RAY DIXON, CHARLES OLIVER DOVE, PAMELA S. DOVE, MARY D. DUNN, THE HOMESTEAD OF PITT, INC. d/b/a HOMESTEAD MEMORIAL GARDENS, THE HOMESTEAD OF PITT, INC. d/b/a HOMESTEAD MEMORIAL GARDENS, and DOVE'S MONUMENTS, INC.

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 158 N.C. App. 509, 581 S.E.2d 469 (2003), reversing an order entered 4 October 2001 by Judge Thomas D. Haigwood in Superior Court, Pitt County. On 1 October 2003, the Supreme Court allowed defendants' conditional petition for discretionary review as to additional issues. Heard in the Supreme Court 16 March 2004.

*Ward & Smith, P.A., by Lance P. Martin and Michael P. Flanagan, for plaintiffs-appellants and -appellees.*

*Mills & Economos, LLP, by Larry C. Economos, for defendant-appellee and -appellant Charles Oliver Dove.*

PER CURIAM.

The decision of the Court of Appeals is affirmed.  
Discretionary review improvidently allowed as to defendants'  
conditional petition for discretionary review.

AFFIRMED; DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.