

IN THE SUPREME COURT OF NORTH CAROLINA

No. 94PA03

FILED: 7 OCTOBER 2004

STEVEN M. FISHER, Guardian *Ad Litem* for RHONDA CHILDS, a minor
v.

HOUSING AUTHORITY OF THE CITY OF KINSTON, NORTH CAROLINA

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 155 N.C. App. 189, 573 S.E.2d 678 (2002), reversing an order granting summary judgment to defendant entered 27 June 2001 by Judge Benjamin G. Alford in Superior Court, Lenoir County. Heard in the Supreme Court 13 October 2003.

Donaldson & Black, P.A., by Phyllis Lile-King, for plaintiff-appellee.

Wyrick Robbins Yates & Ponton, LLP, by K. Edward Greene; and White & Allen, P.A., by Matthew S. Sullivan, for defendant-appellant.

Mast, Schulz, Mast, Mills, Stem & Johnson, P.A., by Bradley N. Schulz, on behalf of the North Carolina Academy of Trial Lawyers, amicus curiae.

Crossley, McIntosh, Prior & Collier, by Clay A. Collier, on behalf of the North Carolina Association of Defense Attorneys, amicus curiae.

PER CURIAM.

Pursuant to this Court's opinion in *Evans v. Hous. Auth. of Raleigh*, __ N.C. __, __ S.E.2d __ (Oct. 7, 2004) (No. 216PA03), the decision of the Court of Appeals is reversed and remanded.

REVERSED AND REMANDED.