

IN THE SUPREME COURT OF NORTH CAROLINA

No. 105PA04

FILED: 3 DECEMBER 2004

SUZANNE BEATENHEAD

v.

LINCOLN COUNTY, LINCOLN COUNTY BOARD OF EDUCATION, MARTIN EADDY,
Individually and as a Member of the Lincoln County Board of
Education

On discretionary review pursuant to N.C.G.S. § 7A-31 of
a unanimous, unpublished decision of the Court of Appeals, 162
N.C. App. 547, 591 S.E.2d 599 (2004), which in part affirmed an
order entered on 18 June 2002 by Judge Forrest D. Bridges in
Superior Court, Lincoln County denying summary judgment to
defendant Eaddy on a malicious prosecution claim. Heard in the
Supreme Court 9 November 2004.

Suzanne Beatenhead, pro se, plaintiff-appellee.

*Cranfill, Sumner & Hartzog, L.L.P., by Ann S. Estridge
and Meredith T. Black, for defendant-appellant Martin
Eaddy.*

PER CURIAM.

Justice NEWBY took no part in the consideration or
decision of this case. The remaining members of the Court are
equally divided, with three members voting to affirm and three
members voting to reverse the decision of the Court of Appeals.
Accordingly, the decision of the Court of Appeals is left
undisturbed and stands without precedential value. See *Crawford
v. Commercial Union Midwest Ins. Co.*, 356 N.C. 609, 572 S.E.2d
781 (2002); *Robinson v. Byrd*, 356 N.C. 608, 572 S.E.2d 781
(2002).

AFFIRMED.