

IN THE SUPREME COURT OF NORTH CAROLINA

No. 5A04

FILED: 3 DECEMBER 2004

CHRISTINE JANICE UBERTACCIO

v.

RICHARD UBERTACCIO

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 161 N.C. App. 352, 588 S.E.2d 905 (2003), affirming an equitable distribution judgment entered 25 June 2002 by Judge Victoria L. Roemer in District Court, Forsyth County. Heard in the Supreme Court 10 November 2004.

*C.R. "Skip" Long, Jr. for plaintiff-appellant.*

*Morrow Alexander Tash Kurtz & Porter, PLLC, by Jon B. Kurtz and John F. Morrow, for defendant-appellee.*

PER CURIAM.

For the reasons stated in Judge Levinson's concurring opinion, the decision of the Court of Appeals is affirmed.

AFFIRMED.

Justice NEWBY did not participate in the consideration or decision of this case.