

IN THE SUPREME COURT OF NORTH CAROLINA

No. 113A04

FILED: 17 DECEMBER 2004

JACQUELYNE JONES

v.

LAKE HICKORY R.V. RESORT, INCORPORATED

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 162 N.C. App. 618, 592 S.E.2d 284 (2004), remanding for a new trial a judgment entered 16 April 2002 and an order entered 3 June 2002 by Judge W. Robert Bell in Superior Court, Catawba County. Heard in the Supreme Court 6 December 2004.

*Knott, Clark & Berger, L.L.P., by Michael W. Clark, Bruce W. Berger, and Joe Thomas Knott, III, for plaintiff-appellant.*

*Golding Holden & Pope, LLP, by John G. Golding, for defendant-appellee.*

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals.

REVERSED.

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