

IN THE SUPREME COURT OF NORTH CAROLINA

No. 160PA04

FILED: 17 DECEMBER 2004

AARON L. GREEN and MILDRED GREEN PATE

v.

POLLY PATE WILSON, Individually and as Administratrix of the Estate of WADELL H. PATE, LYDIA P. DUGAN, JANET PATE HOLMES, DARIAN PATE, BRYAN PATE, and LINDSEY PATE

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 163 N.C. App. 186, 592 S.E.2d 579 (2004), reversing and vacating a stay order signed 14 May 2003 by Judge Kenneth Crow in Superior Court, New Hanover County. Heard in the Supreme Court 7 December 2004.<sup>1</sup>

*Johnson, Lambeth & Brown, by Robert W. Johnson, Maynard M. Brown and Anna J. Averitt, for plaintiff-appellees.*

*Marshall, Williams & Gorham, LLP, by Charles D. Meier, for defendant-appellants Polly Pate Wilson, Janet Pate Holmes, and Darian Pate.*

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.

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<sup>1</sup>The names of the Messrs. Pate occur throughout the record as Wadell or Waddell and Darian or Darien.