

IN THE SUPREME COURT OF NORTH CAROLINA

No. 334A04

FILED: 17 DECEMBER 2004

PAUL JOSEPH DANIEL and LISA HORNE DANIEL

v.

JEFF G. MOORE, Individually, JEFF G. MOORE ENTERPRISES, INC., through its registered agent JEFF G. MOORE, THE COUNTY OF WAYNE, through its manager WILL R. SULLIVAN and JOSEPH B. NASSEF, JR., Individually and in his capacity as a building inspector for the County of Wayne

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 596 S.E.2d 465 (2004), vacating a consent judgment entered on 10 October 2002 and reversing an order denying plaintiffs' motion for a new trial entered on 8 January 2003 by Judge B. Jerry Braswell in Superior Court, Wayne County. Heard in the Supreme Court 8 December 2004.

Meredith P. Ezzell and Randolph M. James for plaintiff-appellees.

David M. Rouse for defendant-appellants Jeff G. Moore and Jeff G. Moore Enterprises, Inc.

PER CURIAM.

AFFIRMED.