

ENRIQUE BADILLO v. ALPHONZA J. CUNNINGHAM, CHRISTIE CUNNINGHAM,
and FRANK OTIS BURROUGHS, JR.

No. 359A06

FILED: 15 DECEMBER 2006

Appeal pursuant to N.C.G.S. § 7A-30(2) from the
decision of a divided panel of the Court of Appeals, 177 N.C.
App. ___, 629 S.E.2d 909 (2006), affirming an order entered 27
June 2005 by Judge W. Douglas Albright in Superior Court,
Rockingham County. Heard in the Supreme Court 21 November 2006.

*Wilson & Coffey, LLP, by G. Gray Wilson and Stuart H.
Russell, for plaintiff-appellant.*

*Teague, Rotenstreich & Stanaland, LLP, by Paul A.
Daniels, for unnamed defendant-appellee Nationwide
Mutual Insurance Company.*

PER CURIAM.

AFFIRMED.

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