

GOOD HOPE HEALTH SYSTEM, L.L.C., Petitioner, and THE TOWN OF LILLINGTON, Petitioner-Intervenor v. N.C. DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF FACILITY SERVICES, CERTIFICATE OF NEED SECTION, Respondent, and BETSY JOHNSON REGIONAL HOSPITAL, INC., and AMISUB OF NORTH CAROLINA, INC. d/b/a CENTRAL CAROLINA HOSPITAL, Respondent-Intervenors

No. 57A06-2

FILED: 10 OCTOBER 2008

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 189 N.C. App. ___, 659 S.E.2d 456 (2008), affirming a final agency decision issued 10 September 2004 by the North Carolina Department of Health and Human Services. Heard in the Supreme Court 11 September 2008.

Smith Moore LLP, by Maureen Demarest Murray and Susan M. Fradenburg, for petitioner-appellant.

Roy Cooper, Attorney General, by Melissa L. Trippe, Special Deputy Attorney General, for respondent-appellee.

Nelson Mullins Riley & Scarborough LLP, by Noah H. Huffstetler, III and Elizabeth B. Frock, for respondent-intervenor-appellee Betsy Johnson Regional Hospital, Inc.; and Bode Call & Stroupe, L.L.P., by S. Todd Hemphill, for respondent-intervenor-appellee Amisub of North Carolina, Inc. d/b/a Central Carolina Hospital.

PER CURIAM.

AFFIRMED.