

IN THE SUPREME COURT OF NORTH CAROLINA

No. 30A09

FILED: 18 JUNE 2009

JANE P. HELM

v.

APPALACHIAN STATE UNIVERSITY and KENNETH E. PEACOCK, in his
official capacity as Chancellor of Appalachian State University

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. ___, 670 S.E.2d 571 (2008), affirming an order dismissing
plaintiff's complaint entered on 28 August 2007 by Judge Mark E.
Powell in Superior Court, Watauga County. Heard in the Supreme
Court 5 May 2009.

*Patterson Harpavy LLP, by Burton Craige and Jessica E.
Leaven, for plaintiff-appellant.*

*Roy Cooper, Attorney General, by Kimberly D. Potter,
Assistant Attorney General, for defendant-appellees.*

PER CURIAM.

For the reasons stated in the dissenting opinion, the
decision of the Court of Appeals is reversed.

REVERSED.