

IN THE MATTER OF: T.A.S.

From Brunswick County

No. 332A11

(Filed 5 October 2012)

ORDER

The opinion of the Court of Appeals is vacated. This matter is remanded to that court for further remand to the trial court. The trial court is ordered to make additional findings of fact, including but not necessarily limited to: the names, occupations, genders, and involvement of all the individuals physically present at the “bra lift” search of T.A.S.; whether T.A.S. was advised before the search of the Academy’s “no penalty” policy; and whether the “bra lift” search of T.A.S. qualified as a “more intrusive” search under the Academy’s Safe School Plan.

If, after entry of an amended judgment or order by the trial court, either party enters notice of appeal, counsel are instructed to ensure that a copy of the Safe School Plan, discussed at the suppression hearing and apparently introduced into evidence, is included in the record on appeal.

By order of the Court in Conference, this 4<sup>th</sup> day of October, 2012.

s/Jackson, J.  
For the Court