

IN THE SUPREME COURT OF NORTH CAROLINA

No. 35PA12

FILED 8 NOVEMBER 2013

CONNIE CHANDLER, Employee, by her Guardian ad Litem, CELESTE M. HARRIS

v.

ATLANTIC SCRAP & PROCESSING,
Employer,

LIBERTY MUTUAL INSURANCE COMPANY,
Carrier

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 720 S.E.2d 745 (2011), affirming in part, reversing in part, and remanding an opinion and award filed on 25 February 2010 by the North Carolina Industrial Commission, as amended by an order filed by the Commission on 7 February 2011. Heard in the Supreme Court on 14 November 2012.

Walden & Walden, by Daniel S. Walden and Margaret D. Walden, for plaintiff-appellee.

Hedrick Gardner Kincheloe & Garofalo, LLP, by M. Duane Jones, for defendant-appellants.

PER CURIAM.

For the reasons stated in *Mehaffey v. Burger King*, ___ N.C. ___, ___ S.E.2d ___ (2013) (No. 24PA12), the decision of the Court of Appeals is affirmed as to the matter on appeal to this Court, and this case is remanded to that court for further

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remand to the Industrial Commission for further proceedings not inconsistent with *Mehaffey*.

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

AFFIRMED AND REMANDED.

Justice NEWBY dissents for the reasons stated in his opinion in *Mehaffey v. Burger King*, ___ N.C. ___, ___ S.E.2d ___ (2013).