

IN THE SUPREME COURT OF NORTH CAROLINA

No. 9A14

Filed 11 June 2015

JORGE TOVAR-MAURICIO, EDEMIAS DELEON MORALES, MARIO M. TOVAR, RANULFO DELEON VASQUEZ, BERNABE FRANCISCO CALIXTO, TOMAS MARTINEZ GUERRERO and GABRIEL DOMINGUEZ-CONTRERA,
Employees

v.

T.R. DRISCOLL, INC.,
Employer,

GENERAL CASUALTY INSURANCE COMPANY and CAROLINAS ROOFING
AND SHEET METAL CONTRACTORS SELF-INSURED FUND,
Carriers

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. ___, 768 S.E.2d 550 (2014), affirming an opinion and award filed on 21 December 2012 by the North Carolina Industrial Commission. On 18 December 2014, the Supreme Court allowed petitions for discretionary review of additional issues filed by defendants General Casualty Insurance Company and Carolinas Roofing and Sheet Metal Contractors Self-Insured Fund. Heard in the Supreme Court on 21 April 2015.

Diener Law, P.A., by Amanda Gladin-Kramer, Russell W. Johnson, and Richard A. Diener, for plaintiff-appellees.

Orbock Ruark & Dillard, PC, by Roger L. Dillard, Jr. and Jessica E. Lyles, for defendant-appellee T.R. Driscoll, Inc.

TOVAR-MAURICIO V. T.R. DRISCOLL, INC.

Opinion of the Court

Teague Campbell Dennis & Gorham, LLP, by Brian M. Love and George H. Pender, for defendant-appellant/appellee General Casualty Insurance Company.

Goodman McGuffey Lindsey & Johnson, LLP, by Adam E. Whitten and Michael A. Cannon, for defendant-appellant/appellee Carolinas Roofing and Sheet Metal Contractors Self-Insured Fund.

PER CURIAM.

As to the appeal of right based on the dissenting opinion, we affirm the majority decision of the Court of Appeals. We conclude that the petition for discretionary review as to additional issues was improvidently allowed.

AFFIRMED; DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.