

IN THE SUPREME COURT OF NORTH CAROLINA

No. 290A19

Filed 28 February 2020

BOBBY G. BOLES, et al.

v.

TOWN OF OAK ISLAND

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 830 S.E.2d 878 (N.C. Ct. App. 2019), reversing and remanding an order granting defendant's motion for summary judgment entered on 2 May 2018 by Judge James Ammons Jr. in Superior Court, Brunswick County. Heard in the Supreme Court on 4 February 2020.

*Norman B. Smith, Steven B. Fox, and Mallory G. Horne for plaintiff-appellees.*

*Parker, Poe, Adams & Bernstein LLP, by Charles C. Meeker and Stephen V. Carey, and Crossley, McIntosh & Collier, by Brian E. Edes, for defendant-appellant.*

*Craige & Fox, PLLC, by Charlotte Noel Fox, for Town of Holden Beach, a North Carolina Municipality, amicus curiae.*

*John M. Phelps II, Gregory F. Schwitzgebel III, and Monica Langdon Jackson for North Carolina League of Municipalities, amicus curiae.*

PER CURIAM.

We reverse the decision of the Court of Appeals for the reasons stated in the dissenting opinion.

REVERSED.