

IN THE SUPREME COURT OF NORTH CAROLINA

2022-NCSC-118

No. 66PA21

Filed 4 November 2022

PIA TOWNES

v.

PORTFOLIO RECOVERY ASSOCIATES, LLC

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 275 N.C. App. 939, 854 S.E.2d 146 (2020), affirming in part and reversing in part an order entered on 16 August 2019 by Judge Robert C. Ervin in Superior Court, Mecklenburg County, granting in part plaintiff's motion for summary judgment; vacating in part a final judgment entered on 7 October 2019; affirming an order entered on 7 October 2019 denying defendant's motion to dismiss; and remanding the case to the trial court. Heard in the Supreme Court on 30 August 2022.

*North Carolina Justice Center, by Jason A. Pikler and Carlene McNulty; and J. Jerome Hartzell for plaintiff-appellee.*

*Jon Berkelhammer, Joseph D. Hammond, Michelle A. Liguori, and D. Scott Hazelgrove II for defendant-appellant.*

*Legal Aid of North Carolina, by Celia Pistolis and Kathryn A. Sabbeth; Center for Responsible Lending, by Nadine Chabrier; Charlotte Center for Legal Advocacy, Inc., by Karen Fisher Moskowitz; Financial Protection Law Center, by Maria D. McIntyre; Pisgah Legal Services, by Marjorie Maynard; and National Association of Consumer Advocates, by Adrian M. Lapas and Suzanne Begnoche, for amici curiae.*

TOWNES V. PORTFOLIO RECOVERY ASSOCS., LLC

2022-NCSC-118

*Opinion of the Court*

*Richard P. Cook, PLLC, by Richard P. Cook, for North Carolina Consumer Bankruptcy Rights Coalition, amicus curiae.*

*Smith Debnam Narron Drake Saintsing & Myers, LLP, by Caren D. Enloe and Landon G. Van Winkle, for North Carolina Creditors Bar Association, amicus curiae.*

*Joshua H. Stein, Attorney General, by Daniel P. Mosteller, Deputy General Counsel, and M. Lynne Weaver, Special Deputy Attorney General, for the State of North Carolina, amicus curiae.*

PER CURIAM.

¶ 1

Justice ERVIN took no part in the consideration or decision of this case. The remaining members of the Court are equally divided, with three members voting to affirm and three members voting to reverse the decision of the Court of Appeals. Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. *See Piro v. McKeever*, 369 N.C. 291, 794 S.E.2d 501 (2016) (per curiam) (affirming a Court of Appeals opinion without precedential value by an equally divided vote).

AFFIRMED.