

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA15-982

Filed: 21 March 2017

Currituck County, No. 10 CVS 288

MAXINE A. EASTON, Plaintiff,

v.

ALLEN TOBY HEDGEPEETH, *et al.*, Defendant.

Appeal by defendant from order entered 18 May 2015 by Judge Marvin K. Blount, III in Currituck County Superior Court. Heard in the Court of Appeals 10 February 2016.

*Boxley, Bolton, Garber & Haywood, L.L.P., by Ronald H. Garber, for plaintiff-appellee.*

*Vandeventer Black LLP, by Norman W. Shearin and Ashley P. Holmes, for defendant-appellant.*

PER CURIAM.

This appeal is a companion case to *Lewis v. Hedgepeth*, No. 15-706 (N.C. Ct. App. Mar. 21, 2017) (unpublished) and *Lewis v. Hedgepeth*, No. 15-914 (N.C. Ct. App. Mar. 21, 2017) (unpublished). The cases were consolidated in the trial court, and the court entered nearly identical summary judgment orders. The issues presented in

EASTON V. HEDGEPEETH

*Opinion of the Court*

this appeal and the accompanying motion to dismiss for failure to join necessary parties are identical to those presented in the two companion cases. Thus, for the reasons stated in the companion opinions, we dismiss the arguments concerning joinder of necessary parties, reverse the entry of summary judgment in favor of Easton, and remand for further proceedings.

DISMISSED IN PART; REVERSED AND REMANDED IN PART.

Panel Consisting of Judges ELMORE, STROUD, and DIETZ.

Report per Rule 30(e).