

CHRISTIAN EMERSON DYSART and MILDRED MAXWELL DYSART v. WILLIAM
KENT CUMMINGS and KIMBERLY N. CUMMINGS

No. 132A07

FILED: 12 OCTOBER 2007

Appeal pursuant to N.C.G.S. § 7A-30(2) from the
decision of a divided panel of the Court of Appeals, 181 N.C.
App. ___, 640 S.E.2d 832 (2007), affirming entry of summary
judgment for plaintiffs on 1 March 2006 by Judge Kenneth C. Titus
in Superior Court, Wake County. Heard in the Supreme Court 12
September 2007.

*Boyce & Isley, PLLC, by Philip R. Isley, for
plaintiff-appellees.*

John Walter Bryant for defendant-appellants.

PER CURIAM.

AFFIRMED.

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