

IN THE SUPREME COURT OF NORTH CAROLINA

No. 206A03

FILED: 7 NOVEMBER 2003

CAROLYN AVERITT LANCASTER, CHARLES S. FOX, individually and as
Executor of the Estate of CORNELIA AVERITT FOX, deceased, JANE
GREGG DERBY, SABRA GREGG CAMPBELL and MARY MAC GREGG WILKINSON
v.

MAPLE STREET HOMEOWNERS ASSOCIATION, INC., A Nonprofit North
Carolina Corporation

Appeal pursuant to N.C.G.S. § 7A-30(2) from the
decision of a divided panel of the Court of Appeals, 156 N.C.
App. 429, 577 S.E.2d 365 (2003), ordering a new trial after
appeal of judgment entered 14 August 2001 by Judge Dexter Brooks
in Superior Court, Columbus County. Heard in the Supreme Court
16 October 2003.

*Mitchell, Brewer, Richardson, Adams, Burge & Boughman,
by Ronnie M. Mitchell and Coy E. Brewer, Jr., for
plaintiffs-appellants.*

*Michael W. Willis; and Ward and Smith, P.A., by
Kenneth R. Wooten and Hugh R. Overholt, for defendant-
appellee.*

PER CURIAM.

AFFIRMED.

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