TERESA SMITH GILREATH v. NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES

No. 310A06

FILED: 15 DECEMBER 2006

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 177 N.C.

App. ____, 629 S.E.2d 293 (2006), reversing an order entered on 3 June 2005 by Judge W. Russell Duke, Jr. in Superior Court,

Granville County. Heard in the Supreme Court 22 November 2006.

Schiller & Schiller, PLLC, by David G. Schiller, for plaintiff-appellee.

Roy Cooper, Attorney General, by Angel E. Gray, Assistant Attorney General, for defendant-appellant.

PER CURIAM.

AFFIRMED.