

BEATRICE WOODY, Employee v. THOMASVILLE UPHOLSTERY INCORPORATED,
Employer, SELF-INSURED (Helsman-Management Services, Inc., Servicing Agent)

No. 596A01

(Filed 10 May 2002)

Workers' Compensation—depression and fibromyalgia—not occupational diseases

The decision of the Court of Appeals in this case is reversed for the reasons stated in the dissenting opinion in the Court of Appeals that the evidence and the Industrial Commission's findings do not support the Commission's conclusions that plaintiff's employment exposed her to a greater risk of contracting depression and fibromyalgia than the public generally and that her depression and fibromyalgia are compensable occupational diseases.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 146 N.C. App. 187, 552 S.E.2d 202 (2001), affirming an opinion and award entered by the Industrial Commission on 13 January 2000. Heard in the Supreme Court 16 April 2002.

Mary F. Pyron for plaintiff-appellee.

Morris York Williams Surlis & Barringer, LLP, by Thomas E. Williams and Stephen Kushner; and Orbock Bowden Ruark & Dillard, by Maureen S. Orbock and Devin F. Thomas, for defendant-appellant.

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals.

REVERSED.