

IN THE SUPREME COURT OF NORTH CAROLINA

No. 5A00

FILED 16 JUNE 2000

WILLIAM A. TUCKER, JR. and JAMES P. ASHBURN, T.C. HOMESLEY, JR.,
AND WILLIAM Y. WILKINS, as CO-ADMINISTRATORS OF THE ESTATE OF
WILLIAM ARNOLD TUCKER, SR.

v.

ANNE STEWART WESTLAKE (aka Anne Stuart Harley Tucker Westlake)
and husband, WILLIAM RICHARD WESTLAKE

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of
a divided panel of the Court of Appeals, ___ N.C. App. ___, 523
S.E.2d 139 (1999), finding no prejudicial error in a judgment
entered 30 September 1998 by McHugh, J., in Superior Court,
Iredell County. Heard in the Supreme Court 16 May 2000.

Sharon Lowe for plaintiff-appellants.

*Pope McMillan Kutteh Simon & Privette, P.A., by William H.
McMillan and Ryan D. Bolick, for defendant-appellees.*

PER CURIAM.

The decision of the Court of Appeals is reversed for the
reasons stated in Judge Wynn's dissenting opinion.

REVERSED.