

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

NO. COA13-1456  
NORTH CAROLINA COURT OF APPEALS

Filed: 18 November 2014

AARON BYRD and  
ERIC COOMBS,  
Petitioners

v.

Franklin County  
No. 13 CVS 06

FRANKLIN COUNTY, NORTH  
CAROLINA  
Respondent

Appeal by Petitioners from order entered 24 September 2013  
by Judge Robert H. Hobgood in Franklin County Superior Court.  
Heard in the Court of Appeals 13 August 2014.

*Currin & Currin, by George B. Currin and Catherine A.  
Hofmann, for Petitioners-appellants.*

*Davis Sturges and Tomlinson, by Aubrey S. Tomlinson, Jr.,  
for respondent-appellee.*

DILLON, Judge.

Aaron Byrd and Eric Coombs ("Petitioners") appeal from the  
trial court's order affirming the Franklin County Board of  
Commissioners' decision to deny Petitioners a special use permit  
for their shooting range on their property in Franklin County.  
Because of our decision in COA13-1457 reversing the superior

court's decision that held that Petitioners' shooting range required Petitioners to apply for a special use permit, we dismiss Petitioners' appeal challenging the denial of their application for a special use permit as moot.

DISMISSED.

Judge DAVIS concurs.

Judge HUNTER, Robert C., concurs in result only by separate opinion.

Report per Rule 30(e).

NO. COA13-1456

NORTH CAROLINA COURT OF APPEALS

Filed: 18 November 2014

AARON BYRD and ERIC COOMBS,  
Petitioners,

v.

Franklin County

No. 13 CVS 450

FRANKLIN COUNTY, NORTH CAROLINA,  
Respondent.

HUNTER, Robert C., Judge, concurring.

I concur in the majority's determination that this appeal be dismissed as moot, but for reasons stated in my dissenting opinion in *Byrd v. Franklin County* (No. COA13-1457).