

MARY NICOLE BOONE VOGLER, Widow; MARILYN "SUE ANN" CLYMER, Guardian ad Litem for KRISTIN DAKOTA VOGLER, Minor Child; and MARK BOONE, Guardian ad Litem for MEGAN NICOLE BOONE, Minor Stepchild; of BILLY CHARLES VOGLER, Deceased Employee v. BRANCH ERECTIONS COMPANY, INC., Employer, RELIANCE NATIONAL INSURANCE COMPANY (now insolvent), Carrier, NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION, CAMBRIDGE INTEGRATED SERVICES, Third-Party Administrator, STERLING ADMINISTRATIVE SERVICES and the GOFF GROUP, Servicing Agents

No. 128A07

FILED: 7 DECEMBER 2007

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 181 N.C. App. 457, 640 S.E.2d 419 (2007), affirming an opinion and award filed on 27 July 2005 by the North Carolina Industrial Commission. On 27 June 2007, the Supreme Court allowed defendant-employer's petition for discretionary review of additional issues. Heard in the Supreme Court 14 November 2007.

*J. Randolph Ward for defendant-appellee/appellant
Branch Erections Company, Inc.*

*Nelson Mullins Riley & Scarborough LLP, by Christopher
J. Blake, for defendant-appellant/appellee North
Carolina Insurance Guaranty Association.*

PER CURIAM.

As to all issues, the members of the Court are equally divided. Therefore, the Court of Appeals opinion is left undisturbed without precedential value. *See, e.g., Barham v. Hawk*, 360 N.C. 358, 625 S.E.2d 778 (2006).

AFFIRMED.

Justice TIMMONS-GOODSON did not participate in the consideration or decision of this case.