

IN THE SUPREME COURT OF NORTH CAROLINA

2021-NCSC-9

No. 29A20

Filed 12 March 2021

STACY GRIFFIN, Employee

v.

ABSOLUTE FIRE CONTROL, INC., Employer, and EVEREST NATIONAL INS.
CO. & GALLAGHER BASSETT SERVS., Carrier

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 269 N.C. App. 193 (2020), affirming in part and reversing and remanding in part an opinion and award filed on 25 January 2019 by the North Carolina Industrial Commission. On 29 April 2020, the Supreme Court allowed plaintiff's petition for discretionary review and defendants' conditional petition for discretionary review as to additional issues. Heard in the Supreme Court on 16 February 2021.

Sellers, Ayers, Dortch & Lyons, PA, by Christian R. Ayers and John F. Ayers III, for plaintiff-appellee.

Brotherton Ford Berry & Weaver, PLLC, by Demetrius Worley, for defendant-appellants.

Poisson, Poisson & Bower, PLLC, by E. Stewart Poisson; and Erwin Byrd for North Carolina Advocates for Justice, amicus curiae.

Hedrick Gardner Kincheloe & Garofalo LLP, by M. Duane Jones and Linda Stephens; and Teague Campbell Dennis & Gorham, LLP, by Bruce Hamilton, for North Carolina Association of Defense Attorneys, North Carolina Association of Self-Insurers, North Carolina Chamber Legal Institute, North

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Opinion of the Court

Carolina Retail Merchants Association, North Carolina Home Builders Association, North Carolina Automobile Dealers Association, North Carolina Restaurant and Lodging Association, National Federation of Independent Business, Employers Coalition of North Carolina, North Carolina Farm Bureau Federation, American Property Casualty Insurance Association Insurance Federation of North Carolina, and National Association of Mutual Insurance Companies, amici curiae.

PER CURIAM.

AFFIRMED.

¶ 1 Plaintiff's petition for discretionary review is dismissed as improvidently allowed. Defendants' conditional petition for discretionary review is dismissed as improvidently allowed. Defendants' petition for writ of certiorari is dismissed as moot.

Justice BERGER did not participate in the consideration or decision of this case.