

IN THE SUPREME COURT OF NORTH CAROLINA

No. 246PA98

FILED: 5 February 1999

STATE OF NORTH CAROLINA, on relation of James E. Long,  
Commissioner of Insurance, AS LIQUIDATOR OF THE INVESTMENT LIFE  
INSURANCE COMPANY OF AMERICA

v.

PETREE STOCKTON, L.L.P., a North Carolina Limited Liability  
Partnership; and JAMES M. ISEMAN

On writ of certiorari pursuant to N.C.G.S. § 7A-32(b) to  
review the decision of the Court of Appeals, 129 N.C. App. 432,  
499 S.E.2d 790 (1998), affirming the judgment entered 29 August  
1996 by Cashwell, J., in Superior Court, Wake County. Heard in  
the Supreme Court 12 January 1999.

*Bode, Call & Stroupe, L.L.P., by V. Lane Wharton, Jr., for  
plaintiff-appellant.*

*Bell, Davis & Pitt, P.A., by William K. Davis and Stephen M.  
Russell, for defendant-appellee Petree Stockton, L.L.P.*

*Bailey & Dixon, L.L.P., by Gary S. Parsons, Patricia P.  
Kerner, and Dayatra T. King, for defendant-appellee Iseman.*

PER CURIAM.

This Court allowed plaintiff's petition for writ of  
certiorari to review the decision of the Court of Appeals only as  
to the issue of constructive fraud.

WRIT OF CERTIORARI IMPROVIDENTLY ALLOWED.