

IN THE SUPREME COURT OF NORTH CAROLINA

No. 277A03

FILED: 7 NOVEMBER 2003

OLIVER WRIGHT LEARY

v.

N.C. FOREST PRODUCTS, INC., CANAL WOOD CORPORATION, MOSES LASITTER, JOSEPH WETHERINGTON, CHRISTOPHER L. WETHERINGTON, TAMMY WETHERINGTON, MAMIE E. LEARY, T. BARBARA LEARY, MAMIE RUTH LEARY CLAGGETT, ELMER LEE LEARY, SR., PATTIE LEARY, LINWOOD RICHARD LEARY, SR., SANDRA LEARY GRISSOM, LAURA M. LEARY ELLIOTT, ALLEN R. ELLIOTT, SHIRLEY LEARY STATEN, HAROLD J.R. LEARY, RICHARD SMITH, ELMER LEE LEARY, JR., PATRICK L. LEARY, KENNETH LEARY, ARLENE P. SMITH, and THE LAW FIRM OF LEE, HANCOCK, LASITTER & KING

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. ___, 580 S.E.2d 1 (2003), affirming an order entered 30 July 2001 by Judge W. Russell Duke, Jr. in Superior Court, Pitt County. Heard in the Supreme Court 15 October 2003.

Loflin & Loflin, by Thomas F. Loflin, and Oliver Wright Leary, pro se, for plaintiff-appellant.

Lee, Hancock & Lasitter, P.A., by Moses D. Lasitter, for defendant-appellees N.C. Forest Products, Inc., Moses Lasitter, Joseph Wetherington, Christopher L. Wetherington, Tammy Wetherington, and The Law Firm of Lee, Hancock, Lasitter & King.

Dees, Smith, Powell, Jarrett, Dees & Jones, by Tommy W. Jarrett, for defendant-appellee Canal Wood Corporation.

David C. Sutton, for defendant-appellees Mamie E. Leary, T. Barbara Leary, Mamie Ruth Leary Claggett, Elmer Lee Leary, Sr., Pattie Leary, Linwood Richard Leary, Sr., Sandra Leary Grissom, Laura M. Leary Elliott, Allen R. Elliott, Shirley Leary Staten, Harold J.R. Leary, Richard Smith, Elmer Lee Leary, Jr., Patrick L. Leary, Kenneth Leary, and Arlene P. Smith.

PER CURIAM.

AFFIRMED.