

JULIUS CAESER MOORE v. NATIONWIDE MUTUAL INSURANCE COMPANY and
NATIONWIDE MUTUAL FIRE INSURANCE COMPANY

No. 330A08

FILED: 12 DECEMBER 2008

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 191 N.C. App. ___, 664 S.E.2d 326 (2008), affirming an order dismissing plaintiff's complaint entered 22 August 2007 by Judge Phyllis M. Gorham in Superior Court, Duplin County. Heard in the Supreme Court 17 November 2008.

Crawford & Crawford, LLP, by Robert O. Crawford, III; and Hemmings & Stevens, P.L.L.C., by Aaron C. Hemmings, for plaintiff-appellant.

George L. Simpson III for defendant-appellees.

Twiggs, Beskind, Strickland & Rabenau, P.A., by Jerome P. Trehy, Jr., for the North Carolina Academy of Trial Lawyers, amicus curiae.

Battle, Winslow, Scott & Wiley, P.A., by M. Greg Crumpler, for the North Carolina Association of Defense Attorneys, amicus curiae.

PER CURIAM.

AFFIRMED.