

DONNA WORNSTAFF v. DON RAY WORNSTAFF

No. 558A06

FILED: 9 MARCH 2007

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 179 N.C. App. ___, 634 S.E.2d 567 (2006), affirming an order entered on 11 August 2005 by Judge Amber Davis in District Court, Dare County. Heard in the Supreme Court 14 February 2007.

Irvine Law Firm, PC, by Stephanie B. Irvine, for plaintiff-appellee.

James R. Wills, III for defendant-appellant.

PER CURIAM.

Justice HUDSON took no part in the consideration or decision of this case. The remaining members of the Court are equally divided, with three members voting to affirm and three members voting to reverse the decision of the Court of Appeals. Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. See *State v. Harrison*, 360 N.C. 394, 627 S.E.2d 461 (2006); *Crawford v. Commercial Union Midwest Ins. Co.*, 356 N.C. 609, 572 S.E.2d 781 (2002).

AFFIRMED.