

IN THE SUPREME COURT OF NORTH CAROLINA

No. 98A12

FILED 14 DECEMBER 2012

BLUE RIDGE SAVINGS BANK, INC.

v.

GUY MITCHELL, AMY MITCHELL, and ELOISE MITCHELL

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. ___, 721 S.E.2d 322 (2012), affirming entry of summary judgment for plaintiff on 16 November 2010 by Judge Alan Z. Thornburg in Superior Court, Buncombe County. Heard in the Supreme Court on 16 October 2012.

Dungan Law Firm, P.A., by James W. Kilbourne, Jr. and Alicia Gaddy-Vega, for plaintiff-appellee.

Frank G. Queen, PLLC, by Frank G. Queen; and Scott Taylor, PLLC, by J. Scott Taylor, for defendant-appellants.

PER CURIAM.

AFFIRMED.