

IN THE SUPREME COURT OF NORTH CAROLINA

No. 30A09

FILED: 18 JUNE 2009

JANE P. HELM

v.

APPALACHIAN STATE UNIVERSITY and KENNETH E. PEACOCK, in his official capacity as Chancellor of Appalachian State University

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. \_\_\_, 670 S.E.2d 571 (2008), affirming an order dismissing plaintiff's complaint entered on 28 August 2007 by Judge Mark E. Powell in Superior Court, Watauga County. Heard in the Supreme Court 5 May 2009.

*Patterson Harkavy LLP, by Burton Craige and Jessica E. Leaven, for plaintiff-appellant.*

*Roy Cooper, Attorney General, by Kimberly D. Potter, Assistant Attorney General, for defendant-appellees.*

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed.

REVERSED.