

IN THE SUPREME COURT OF NORTH CAROLINA

No. 161A98

STATE OF NORTH CAROLINA

v.

THADDEUS SWINDLER

Appeal by defendant pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 129 N.C. App. 1, 497 S.E.2d 318 (1998), finding no error in defendant's new trial, following remand by this Court, 339 N.C. 469, 450 S.E.2d 907 (1994), resulting in a judgment of life imprisonment entered by Eagles, J., on 7 June 1996 in Superior Court, Guilford County. Heard in the Supreme Court 18 November 1998.

*Michael F. Easley, Attorney General, by Ronald M. Marquette, Special Deputy Attorney General, for the State.*

*Margaret Creasy Ciardella for defendant-appellant.*

PER CURIAM.

AFFIRMED.