

IN THE SUPREME COURT OF NORTH CAROLINA

No. 122PA98

IN RE SARAH LYNN OWENS

On discretionary review pursuant to N.C.G.S. § 7A-31 and on appeal of right of a constitutional question pursuant to N.C.G.S. § 7A-30(1) to review a unanimous decision of the Court of Appeals, 128 N.C. App. 577, 496 S.E.2d 592 (1998), affirming an order of contempt entered in open court by Farmer, J., on 7 February 1997 in Superior Court, Wake County. Heard in the Supreme Court 30 September 1998.

*Smith Helms Mulliss & Moore, L.L.P., by Jonathan E. Buchan, T. Jonathan Adams, and James G. Exum, Jr., for appellant Sarah Owens.*

*Michael F. Easley, Attorney General, by Norma S. Harrell, Special Deputy Attorney General, for the State-appellee.*

*Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.P., by Mark J. Prak, on behalf of The Associated Press; The New York Times Company; North Carolina Association of Broadcasters, Inc.; and North Carolina Press Association, Inc., amici curiae.*

PER CURIAM.

The decision of the Court of Appeals is affirmed for the reasons stated therein. *But see* Act of July 9, 1999, ch. 267, 1999 N.C. Sess. Laws \_\_\_\_ (codifying "journalists' testimonial privilege" as N.C.G.S. § 8-53.9, effective 1 October 1999).

AFFIRMED.

Justices MARTIN and WAINWRIGHT did not participate in the consideration or decision of this case.