

IN THE SUPREME COURT OF NORTH CAROLINA

No. 135A99

STATE OF NORTH CAROLINA

v.

JOHN HENRY McALLISTER, JR.

Appeal by defendant pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 511 S.E.2d 660 (1999), finding no error in a judgment entered 12 September 1997 by Llewellyn, J., in Superior Court, Pender County. Heard in the Supreme Court 15 September 1999.

Michael F. Easley, Attorney General, by Amy R. Gillespie, Assistant Attorney General, for the State.

Nora Henry Hargrove for defendant-appellant.

PER CURIAM.

AFFIRMED.