

STATE OF NORTH CAROLINA v. ARTHUR EDWARD BALDWIN, JR.

No. 126PA97-2

(Filed 5 October 2001)

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 139 N.C. App. 65, 532 S.E.2d 808 (2000), remanding for a new sentencing hearing a judgment entered by Ross, J., on 15 December 1998 in Superior Court, Forsyth County. Heard in the Supreme Court 13 September 2001.

*Roy A. Cooper, Attorney General, by Christopher W. Brooks, Assistant Attorney General, for the State-appellant.*

*J. Clark Fischer for defendant-appellee.*

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.

Justice EDMUNDS did not participate in the consideration or decision of this case.