

IN THE SUPREME COURT OF NORTH CAROLINA

No. 433A01

FILED: 7 MARCH 2002

STATE OF NORTH CAROLINA

v.

GREGORY LEE NOWELL and MICHAEL LYNN TAYLOR

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 144 N.C. App. 636, 550 S.E.2d 807 (2001), reversing in part and reversing and remanding in part judgments entered 8 December 1999 by Allsbrook, J., in Superior Court, Halifax County. On 4 October 2001, the Supreme Court granted the State's petition for discretionary review of an additional issue. Heard in the Supreme Court 12 February 2002.

*Roy Cooper, Attorney General, by William B. Crumpler, Assistant Attorney General, for the State-appellant.*

*William F. Dickens, Jr., for defendant-appellee Nowell.*

*Jesse F. Pittard, Jr., for defendant-appellee Taylor.*

*American Civil Liberties Union of North Carolina Legal Foundation, by Seth H. Jaffe, amicus curie.*

PER CURIAM.

AFFIRMED.