

IN THE SUPREME COURT OF NORTH CAROLINA

No. 204A02

FILED: 22 NOVEMBER 2002

STATE OF NORTH CAROLINA

v.

TOMMY LEE OSBORNE

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 149 N.C. App. 235, 562 S.E.2d 528 (2002), finding no error in a judgment entered 18 August 2000 by Downs, J., in Superior Court, Watauga County. Heard in the Supreme Court 16 October 2002.

*Roy Cooper, Attorney General, by T. Lane Mallonee, Special Deputy Attorney General, for the State.*

*Marjorie S. Canaday for defendant-appellant.*

PER CURIAM.

AFFIRMED.