

IN THE SUPREME COURT OF NORTH CAROLINA

No. 605A02

FILED: 2 OCTOBER 2003

STATE OF NORTH CAROLINA

v.

ALVINO RAE WILSON, JR.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 154 N.C. App. 127, 571 S.E.2d 631 (2002), remanding for resentencing of the defendant, a judgment entered 14 September 2001 by Judge Melzer A. Morgan, Jr., in Superior Court, Rockingham County. Heard in the Supreme Court 10 September 2003.

*Roy Cooper, Attorney General, by Daniel P. O'Brien, Assistant Attorney General, for the State-appellant.*

*Staples Hughes, Appellate Defender, by Barbara S. Blackman, Assistant Appellate Defender, for defendant-appellee.*

PER CURIAM.

AFFIRMED.