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State v. Miller
No. 438A03
Filed 6 February 2004

No headnotes.

IN THE SUPREME COURT OF NORTH CAROLINA

No. 438A03

FILED: 6 FEBRUARY 2004

STATE OF NORTH CAROLINA

v.

ROBERT MILLER

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 158 N.C. App. 745, 583 S.E.2d 620 (2003), vacating two first-degree sex offense convictions and remanding for resentencing a conviction for taking indecent liberties with a child, which judgments were entered 6 December 2001 by Judge B. Craig Ellis in Superior Court, Scotland County. Heard in the Supreme Court 9 December 2003.

Roy A. Cooper, Attorney General, by David Gordon, Assistant Attorney General, and Amy C. Kunstling, Assistant Attorney General, for the State-appellant.

Daniel Shatz for defendant-appellee.

Beaver, Holt, Sternlicht, Glazier, Britton & Courie, P.A., by Richard B. Glazier, on behalf of the American Civil Liberties Union of North Carolina Legal Foundation, Inc., amicus curiae.

PER CURIAM.

AFFIRMED.