

IN THE SUPREME COURT OF NORTH CAROLINA

No. 270A04

FILED: 5 MAY 2005

STATE OF NORTH CAROLINA

v.

WILLIE FORREST, III

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 164 N.C. App. 272, 596 S.E.2d 22 (2004), finding no error in judgments entered 7 March 2003 by Judge W. Osmond Smith in Superior Court, Wake County. Heard in the Supreme Court 18 April 2004.

*Roy Cooper, Attorney General, by Kevin Anderson, Assistant Attorney General, for the State.*

*Irving Joyner for defendant-appellant.*

*Robert P. Mosteller, Cooperating Attorney, for the American Civil Liberties Union of North Carolina and the North Carolina Academy of Trial Lawyers, amici curiae.*

PER CURIAM.

AFFIRMED.