

IN THE SUPREME COURT OF NORTH CAROLINA

No. 31A05

FILED: 5 MAY 2005

STATE OF NORTH CAROLINA

v.

JERRY DELANE JENKINS

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 606 S.E.2d 430 (2005), finding no error in a judgment entered 28 May 2003 by Judge James M. Webb in Superior Court, Montgomery County. Heard in the Supreme Court 20 April 2005.

Roy Cooper, Attorney General, by Jane T. Hautin, Special Deputy Attorney General, for the State.

Karlene Scott-Turrentine for defendant-appellant.

PER CURIAM.

AFFIRMED.