

IN THE SUPREME COURT OF NORTH CAROLINA

No. 674A05

FILED 7 APRIL 2006

STATE OF NORTH CAROLINA

v.

JAMES LOVE RENFRO, JR.

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. \_\_\_, 621 S.E.2d 221 (2005), finding no error in a judgment entered 7 June 2004 by Judge Jack A. Thompson in Superior Court, Cumberland County. Heard in the Supreme Court 16 March 2006.

*Roy Cooper, Attorney General, by James M. Stanley, Jr., Assistant Attorney General, for the State.*

*George E. Kelly, III, for defendant-appellant.*

PER CURIAM.

Justice BRADY took no part in the consideration or decision of this case. The remaining members of the Court are equally divided, with three members voting to affirm and three members voting to reverse the decision of the Court of Appeals. Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. See *Crawford v. Commercial Union Midwest Ins. Co.*, 356 N.C. 609, 572 S.E.2d 781 (2002); *Robinson v. Byrd*, 356 N.C. 608, 572 S.E.2d 781 (2002).

AFFIRMED.