

STATE OF NORTH CAROLINA v. RASHAWN DREAN YARRELL

No. 448PA05

FILED: 5 MAY 2006

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 616 S.E.2d 258 (2005), finding no error in defendant's trial but remanding for resentencing two judgments entered on 10 December 2002 by Judge Jerry Cash Martin in Superior Court, Randolph County. Heard in the Supreme Court 18 April 2006.

Roy Cooper, Attorney General, by Christopher W. Brooks, Assistant Attorney General, for the State-appellant.

Staples S. Hughes, Appellate Defender, by Daniel Shatz, Assistant Appellate Defender, for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.