

STATE OF NORTH CAROLINA v. TOMMIE EARL MYLES

No. 41A08

FILED: 12 JUNE 2008

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 188 N.C. App. ___, 654 S.E.2d 752 (2008), reversing a judgment entered on 24 October 2006 by Judge J. Marlene Hyatt in Superior Court, Haywood County, and remanding with instructions to vacate defendant's guilty plea. Heard in the Supreme Court 7 May 2008.

Roy Cooper, Attorney General, by John P. Scherer II, Assistant Attorney General, for the State-appellant.

Constance E. Widenhouse, Assistant Appellate Defender, and Staples S. Hughes, Appellate Defender, for defendant-appellee.

PER CURIAM.

AFFIRMED.