

STATE OF NORTH CAROLINA v. DON MCRAE SMITH, JR.

No. 332PA08

FILED: 20 MARCH 2009

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous, unpublished decision of the Court of Appeals, 191 N.C. App. ___, 662 S.E.2d 405 (2008), finding no prejudicial error in defendant's trial resulting in judgments entered on 31 May 2007 by Judge Cy A. Grant, Sr. in Superior Court, Hertford County. Heard in the Supreme Court 23 February 2009.

Roy Cooper, Attorney General, by Leonard G. Green, Assistant Attorney General, for the State.

Geoffrey W. Hosford for defendant-appellant.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.