

IN THE SUPREME COURT OF NORTH CAROLINA

No. 514PA08

FILED: 9 OCTOBER 2009

STATE OF NORTH CAROLINA

v.

BOBBY E. BOWDEN

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 668 S.E.2d 107 (2008), reversing an order entered 27 August 2007 by Judge Gary L. Locklear in Superior Court, Cumberland County denying defendant's motion for appropriate relief and remanding for further proceedings. Heard in the Supreme Court 9 September 2009.

Roy Cooper, Attorney General, by William P. Hart, Senior Deputy Attorney General, and Elizabeth F. Parsons, Assistant Attorney General, for the State-appellant.

Staples S. Hughes, Appellate Defender, by Katherine Jane Allen, Assistant Appellate Defender, for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.