

IN THE SUPREME COURT OF NORTH CAROLINA

No. 358A12

FILED 13 JUNE 2013

STATE OF NORTH CAROLINA

v.

BRYANT LAMONT BOYD

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. ___, 730 S.E.2d 193 (2012), on remand from this Court, ___ N.C. ___, ___ S.E.2d ___ (2012), vacating defendant's conviction for second-degree kidnapping that resulted in part in a judgment entered on 14 April 2010 by Judge Abraham Penn Jones in Superior Court, Orange County, and ordering a new trial on the charge of second-degree kidnapping. Heard in the Supreme Court on 11 March 2013.

Roy Cooper, Attorney General, by Robert C. Montgomery, Special Deputy Attorney General, for the State-appellant.

Staples S. Hughes, Appellate Defender, by Andrew DeSimone, Assistant Appellate Defender, for defendant-appellee.

PER CURIAM.

The decision of the Court of Appeals is reversed for the reasons stated in the dissenting opinion, and this case is remanded to the Court of Appeals for consideration of the remaining issues.

STATE V. BOYD

Opinion of the Court

REVERSED AND REMANDED.