

IN THE SUPREME COURT OF NORTH CAROLINA

No. 29A13

FILED 8 NOVEMBER 2013

RICHARD M. JOHNSTON

v.

STATE OF NORTH CAROLINA

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. ___, 735 S.E.2d 859 (2012), reversing and remanding a judgment entered on 24 October 2011 by Judge Abraham P. Jones in Superior Court, Caswell County. Heard in the Supreme Court on 15 October 2013.

Dan L. Hardway for plaintiff-appellee.

Roy Cooper, Attorney General, by Hal F. Askins, Special Deputy Attorney General, and Catherine F. Jordan, Assistant Attorney General, for defendant-appellant.

PER CURIAM.

AFFIRMED.

Justice BEASLEY did not participate in the consideration or decision of this case.