

IN THE SUPREME COURT OF NORTH CAROLINA

No. 531PA13

Filed 19 December 2014

STATE OF NORTH CAROLINA

v.

JAMES A. PHILLIPS, JR.

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 750 S.E.2d 43 (2013), reversing an order entered on 5 December 2012 by Judge Theodore S. Royster, Jr. in Superior Court, Stanly County. Heard in the Supreme Court on 9 September 2014.

Roy Cooper, Attorney General, by Kathleen N. Bolton, Assistant Attorney General, for the State-appellant.

Arnold & Smith, PLLC, by Matthew R. Arnold and J. Bradley Smith, for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.