

IN THE SUPREME COURT OF NORTH CAROLINA

No. 203A14

FILED 10 April 2015

STATE OF NORTH CAROLINA

v.

TONY LINWOOD MARTIN, JR.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the unpublished decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 762 S.E.2d 1 (2014), finding no error in part and vacating and remanding in part a judgment entered on 22 March 2013 by Judge J. Carlton Cole in Superior Court, Halifax County. Heard in the Supreme Court on 16 February 2015.

Roy Cooper, Attorney General, by Kimberly N. Callahan, Assistant Attorney General, for the State-appellant.

Ben G. Irons II for defendant-appellee.

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed. This case is remanded to the Court of Appeals for consideration of defendant's remaining issues on appeal.

REVERSED AND REMANDED.