

IN THE SUPREME COURT OF NORTH CAROLINA

No. 369A15

Filed 21 December 2016

STATE OF NORTH CAROLINA

v.

JOHN JOSEPH CARVALHO, II

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. ___, 777 S.E.2d 78 (2015), finding no error after appeal from a judgment entered on 7 April 2014 by Judge Christopher W. Bragg in Superior Court, Union County. On 17 March 2016, the Supreme Court allowed defendant's petition for discretionary review of additional issues. Heard in the Supreme Court on 12 October 2016.

Roy Cooper, Attorney General, by Mary Carla Babb, Assistant Attorney General, and Derrick C. Mertz, Special Deputy Attorney General, for the State.

Glenn Gerding, Appellate Defender, by Anne M. Gomez, Assistant Appellate Defender, for defendant-appellant.

PER CURIAM.

As to the issue before this Court under N.C.G.S. § 7A-30(2), the decision of the Court of Appeals is affirmed. Further, we conclude that the petition for discretionary review as to the additional issue was improvidently allowed.

AFFIRMED; DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.