

IN THE SUPREME COURT OF NORTH CAROLINA

No. 43PA23

Filed 22 March 2024

STATE OF NORTH CAROLINA

v.

GLENN SPENCER BOYETTE JR.

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous opinion of the Court of Appeals, 287 N.C. App. 270 (2022), finding no error in a judgment entered 24 May 2021 by Judge Daniel A. Kuehnert in Superior Court, Caldwell County and holding the trial court did not abuse its discretion by admitting evidence obtained during a search of defendant's truck at a probation revocation hearing. Heard in the Supreme Court on 22 February 2024.

*Joshua H. Stein, Attorney General, by Kayla D. Britt, Assistant Attorney General, for the State-appellee.*

*Glenn Gerding, Appellate Defender, by Jillian C. Franke, Assistant Appellate Defender, for defendant-appellant.*

PER CURIAM.

Having considered the opinion of the Court of Appeals, the record and briefs, and the oral arguments before us, we conclude that defendant's petition for discretionary review was improvidently allowed by order on 14 June 2023.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.