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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA25-1097

Filed 16 September 2026

Guilford County, Nos. 20CR077495-400, 20CR077496-400, 20CR077497-400,
20CR077498-400

STATE OF NORTH CAROLINA

v.

AARON LAMONT LITTLE, JR., Defendant.

Appeal by defendant from judgment entered 27 January 2025 by Judge R. Stuart Albright in Guilford County Superior Court. Heard in the Court of Appeals 13 August 2026.

Attorney General Jeff Jackson, by Special Deputy Attorney General Torrey D. Dixon, for the State.

Lockamy Law Firm, by C. Scott Holmes, for defendant-appellant.

GORE, Judge.

Defendant Aaron Lamont Little, Jr. appeals from judgments entered upon jury verdicts finding him guilty of first-degree murder, discharging a firearm into an occupied vehicle inflicting serious bodily injury, and two counts of assault with a deadly weapon with intent to kill, all arising from a fatal shooting outside a

Greensboro motel. He challenges the denial of his motions to dismiss one of the assault charges and the first-degree murder charge. Because the State presented substantial evidence to support both challenged charges, we conclude defendant received a fair trial, free from error

I. Background

On 16 June 2020, during a birthday gathering at the Relax Inn in Greensboro, a dispute arose in the motel parking lot between defendant's group and two women over a purse left in the car defendant's group had driven there. As the vehicles pulled out of the lot, defendant—riding in the front passenger seat of a vehicle driven by Stephon Hardy—fired five shots from a semiautomatic firearm at the vehicle directly behind him. That vehicle was driven by Terron Eiland and carried Brianna Nicole Smith and Zakkee Gillis-Nixon in the back seat. A third vehicle, carrying the women from the parking-lot dispute and others who had returned with them, followed behind Eiland's vehicle. Surveillance video captured five shots over approximately seven seconds; one struck Brianna in the head, and she died within minutes. Officers found bullet holes in the right rear door and window of Eiland's vehicle, and no evidence showed that any shot was fired from that vehicle or from any other.

In a recorded statement, defendant first denied having a gun and then, after officers showed him the surveillance footage, admitted firing. He said he believed the people from the parking-lot dispute were in the vehicle behind him and would follow and shoot first; that he did not intend to kill anyone; that he did not know Brianna,

whom he knew, was in that vehicle; and that he did not learn anyone had died until the next day. He later sold the firearm.

Defendant was indicted for the first-degree murder of Brianna, for discharging a firearm into an occupied vehicle inflicting serious bodily injury, and for two counts of assault with a deadly weapon with intent to kill against Eiland and Nixon. At the close of the State's evidence, defendant moved to dismiss and presented no evidence. The jury found defendant guilty on all counts, convicting him of first-degree murder under both premeditation and deliberation and the felony-murder rule. The trial court imposed life imprisonment without parole for the murder, 73 to 100 months for the discharging offense, and two consecutive terms of 25 to 42 months for the assaults. Defendant gave oral notice of appeal in open court.

II. Standard of Review

This Court reviews the denial of a motion to dismiss de novo. *State v. Golder*, 374 N.C. 238, 250 (2020). In ruling on a motion to dismiss, the trial court must determine whether there is substantial evidence of each essential element of the charged offense and of the defendant's identity as the perpetrator. *State v. Brown*, 310 N.C. 563, 566 (1984). "Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *State v. Earnhardt*, 307 N.C. 62, 66 (1982) (cleaned up). The evidence is viewed in the light most favorable to the State, and the State is entitled to every reasonable inference that may be drawn from it. *State v. Jackson*, 75 N.C. App. 294, 297 (1985).

Contradictions and discrepancies in the evidence are for the jury to resolve and do not warrant dismissal. *State v. Benson*, 331 N.C. 537, 544 (1992). The test “is the same whether the evidence is direct, circumstantial, or both.” *Earnhardt*, 307 N.C. at 68. If the evidence gives rise to a reasonable inference of the defendant’s guilt, “it is for the members of the jury to decide whether the facts shown satisfy them beyond a reasonable doubt of defendant’s guilt.” *State v. Jones*, 303 N.C. 500, 504 (1981) (citation omitted).

Because defendant moved to dismiss at the close of the State’s evidence and offered none, his challenges to the sufficiency of the evidence on each charge are preserved for review. *See Golder*, 374 N.C. at 246.

III. Assault with a Deadly Weapon with Intent to Kill

Defendant first argues the trial court should have dismissed one of the two charges of assault with a deadly weapon with intent to kill. He contends that firing five shots in approximately seven seconds from a semiautomatic firearm toward a single vehicle established, at most, a single assault. We disagree.

To convict a defendant of assault with a deadly weapon with intent to kill, the State must present substantial evidence of an assault, with a deadly weapon, with the intent to kill. *See* N.C.G.S. § 14-32(c). Defendant does not dispute that he committed an assault with a deadly weapon; he disputes only whether the evidence supported two such assaults rather than one.

Defendant relies on *State v. Maddox*, in which a defendant fired five shots in

rapid succession from a semiautomatic handgun at a single victim. 159 N.C. App. 127, 129 (2003). This Court held that those shots constituted a single assault, and that the trial court should have arrested judgment on four of the five resulting assault convictions. *Id.* at 132–34. *Maddox* and the decisions on which it builds establish that, where a defendant directs repeated force at one victim, the State must show “a distinct interruption in the original assault followed by a second assault” before the episode may be divided into more than one offense. *State v. Brooks*, 138 N.C. App. 185, 189 (2000); *see State v. Dew*, 379 N.C. 64, 72 (2021); *State v. Dilldine*, 22 N.C. App. 229, 231 (1974). Each of those cases, however, involved a single victim, and each asked the same question: when may repeated force against one person be treated as more than one assault. *See Maddox*, 159 N.C. App. at 132–33 (five shots at one victim); *Dilldine*, 22 N.C. App. at 231 (one victim shot three times in front and twice in back). None holds that the State must prove a distinct interruption where the multiple convictions correspond to multiple victims.

That distinction is dispositive here. Assault is an offense against the person, and the allowable unit of prosecution is therefore the individual victim. Where a single act of firing is directed at two people with the intent to kill each, it will support a separate conviction as to each, without regard to whether the shots were separated by a distinct interruption. *See State v. Irick*, 291 N.C. 480, 501 (1977) (firing in the direction of two officers “constituted two assaults”). Defendant’s convictions do not rest on subdividing his five shots into separate assaults against one person—the

concern in *Maddox*—but on the fact that both assault victims, Eiland, who was driving, and Nixon, who was seated in the back seat, were in the vehicle into which he fired.

Defendant observes that *Irick* arose under the Double Jeopardy Clause rather than as a challenge to the sufficiency of the evidence, and that the two victims there were officers engaged in distinct official duties. But the principle that deadly force aimed at two persons may support a conviction as to each follows from the nature of the offense, not from the double-jeopardy posture of *Irick* or the official status of its victims. An assault is committed against a person; two victims supply two offenses.

The elements of each offense were independently satisfied. Intent to kill may be inferred from the nature of the assault, the manner in which it was committed, the weapon used, and the surrounding circumstances, and an assailant is held to intend the natural consequences of his deliberate act. *State v. Grigsby*, 351 N.C. 454, 457 (2000). Defendant fired five shots from close range into the passenger compartment of an occupied vehicle, emptying his weapon. Two rounds struck the right rear of the vehicle—where Brianna and Nixon were seated together—and one struck Brianna in the head. The placement of the bullet holes indicated that defendant fired at the vehicle rather than wildly, and no evidence suggested that anyone fired from within Eiland’s vehicle or from any other vehicle. Our Supreme Court has recognized that a person who fires a weapon several times in the direction of multiple people creates a great risk of death to more than one of them, and that a

reasonable person knows as much. *State v. Carver*, 319 N.C. 665, 667–68 (1987). From this evidence, viewed in the light most favorable to the State, the jury could reasonably infer that defendant intended to kill the occupants of the vehicle toward which he fired, including Eiland and Nixon.

Accordingly, the trial court did not err by denying defendant’s motion to dismiss the second charge of assault with a deadly weapon with intent to kill. Because the presence of two victims supports both convictions, we need not address the State’s alternative contention that the evidence also established a distinct interruption between defendant’s shots—a theory that, in any event, would draw on decisions addressing multiple discharges into occupied property that *Maddox* declined to import into the law of assault. *See* 159 N.C. App. at 132–34.

IV. First-Degree Murder

Defendant next argues that the trial court should have dismissed the charge of first-degree murder because the State failed to present substantial evidence of premeditation and deliberation.

As a threshold matter, the jury found defendant guilty of first-degree murder under both premeditation and deliberation and the felony-murder rule, and defendant does not challenge the felony-murder verdict. The first-degree murder conviction therefore stands regardless of how we resolve the premeditation-and-deliberation question. The issue is not, however, academic. Defendant contends that, had the premeditation-and-deliberation theory been dismissed, his murder conviction

would rest on felony murder alone, the felony of discharging a firearm into an occupied vehicle would merge into the murder conviction, and the judgment on that felony would have to be arrested. *See State v. Weeks*, 322 N.C. 152, 176 (1988) (where a first-degree murder conviction rests solely on the felony-murder rule, the underlying felony merges into the murder conviction and judgment on the felony must be arrested). Because substantial evidence supports premeditation and deliberation, the first-degree murder conviction does not rest solely on the felony-murder rule. The underlying felony therefore does not merge into the murder conviction, and defendant's merger argument fails.

First-degree murder is the unlawful killing of a human being with malice, premeditation, and deliberation. *State v. Horskins*, 228 N.C. App. 217, 221 (2013). Premeditation means that the defendant formed the specific intent to kill for some length of time, however short, before the act; no particular amount of time is required. *State v. Hunt*, 330 N.C. 425, 427 (1991). Deliberation means an intent to kill carried out in a cool state of blood, in furtherance of a fixed design and not under the influence of a violent passion suddenly aroused by sufficient provocation. *Id.* A "cool state of blood" does not require that the defendant be calm or tranquil; it requires only that his anger or emotion not have overcome his reason. *Id.*

Because premeditation and deliberation ordinarily are not susceptible to direct proof, they may be established by circumstantial evidence. Among the circumstances from which they may be inferred are the lack of provocation by the victim, the

defendant's conduct and statements before and after the killing, the nature and number of the victim's wounds, whether the defendant disposed of the murder weapon, and whether the defendant later lied about what occurred. *Horskins*, 228 N.C. App. at 222.

Defendant's contention that he did not intend to kill Brianna—whom he knew and did not realize was in the vehicle behind him—does not defeat the charge. Where a defendant fires with the intent to kill one person but instead kills another, the killing is governed, for purposes of grading the offense, by the same principles as if the intended victim had been struck. *State v. Sheffield*, 206 N.C. 374, 382 (1934). As our Supreme Court has put it, “the malice or intent follows the bullet.” *State v. Wynn*, 278 N.C. 513, 519 (1971). The dispositive question is therefore whether the evidence permitted a reasonable inference that defendant formed and acted upon an intent to kill when he fired into the occupied vehicle—not whether he knew the identity of the person his bullet ultimately struck.

Viewed in the light most favorable to the State, the evidence was sufficient to submit that question to the jury. There was no evidence that Brianna, or anyone in the vehicle defendant fired upon, provoked him. Defendant nonetheless fired five shots into the occupied vehicle, emptying his weapon, and the placement of the bullet holes indicated that he aimed at the vehicle rather than firing wildly. One of those shots struck Brianna in the head, a wound to a vital area that caused her death within minutes. No evidence showed that anyone in Eiland's vehicle, or in any other

vehicle, returned fire or displayed a weapon. After the shooting, defendant initially denied having a gun or firing any shots. He admitted his conduct only after officers confronted him with surveillance footage, and he later disposed of the weapon by selling it. These circumstances—the absence of provocation by the victim, the firing of multiple aimed shots into an occupied vehicle, the fatal head wound, the absence of any return fire, defendant’s initial denials, and his disposal of the weapon—constitute substantial evidence from which a jury could find premeditation and deliberation. *See Horskins*, 228 N.C. App. at 222.

Defendant’s statement that he fired because he feared the occupants of the vehicle behind him would follow and shoot first supplied evidence from which the jury could have found that he acted in fear or panic rather than upon a fixed design to kill. But the State’s evidence permitted the contrary inference. No camera captured anyone else with a firearm or any shots fired from another vehicle, and the jury was entitled to weigh defendant’s account against that evidence. *See State v. Benson*, 331 N.C. 537, 544 (1992) (contradictions and discrepancies in the evidence are for the jury). Moreover, that a defendant acts while angry or emotional does not negate deliberation unless the emotion was strong enough to overcome his reason, *Hunt*, 330 N.C. at 427, and the verbal exchange with the woman in the parking lot and defendant’s apprehension that the occupants of the vehicle behind him might shoot did not, as a matter of law, compel a finding that he acted other than in a cool state of blood. On this record, whether defendant fired upon a fixed design to kill or in

genuine fear was a question for the jury.

Nor does defendant's assertion that he did not learn anyone had been killed until the following day require dismissal. Premeditation and deliberation are assessed at the time of the killing; a defendant's later ignorance of the result of his conduct does not negate an intent to kill formed and acted upon when he fired. We recognize that this case lacks one circumstance present in decisions such as *Hunt* and *Horskins*: evidence that the defendant continued firing as the victim was falling or after the victim had fallen. *See Hunt*, 330 N.C. at 428; *Horskins*, 228 N.C. App. at 223–26. But that circumstance is not required. Here, the absence of provocation by the victim, the firing of multiple aimed shots into an occupied vehicle, the fatal wound to a vital area, defendant's initial denials, and his disposal of the weapon were sufficient to carry premeditation and deliberation to the jury.

Accordingly, the trial court did not err by denying defendant's motion to dismiss the charge of first-degree murder. Because substantial evidence supports the jury's verdict of first-degree murder on the theory of premeditation and deliberation, the conviction does not rest on felony murder alone. Defendant therefore has not shown that the felony of discharging a firearm into an occupied vehicle merged into the murder conviction or that the judgment entered on that felony must be arrested.

V. Conclusion

The trial court did not err by denying defendant's motion to dismiss one of the two charges of assault with a deadly weapon with intent to kill, because the State

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presented substantial evidence of two assaults committed against two separate victims. Nor did the trial court err by denying defendant's motion to dismiss the charge of first-degree murder, because the State presented substantial evidence of premeditation and deliberation. Defendant received a fair trial, free from error.

NO ERROR.

Judges ZACHARY and WOOD concur.

Report per Rule 30(e).