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NO. COA11-344  
NORTH CAROLINA COURT OF APPEALS

Filed: 6 December 2011

STATE OF NORTH CAROLINA

v.

Watauga County  
Nos. 09 CR 50318 and 50320

JERRELL LAMAR JACKSON,

SURETY: BRAXTON D. EGGERS,  
Agent for International Fidelity  
Insurance Company.

JUDGMENT CREDITOR:  
Watauga County Board of Education.

Appeal by the surety from order entered 25 January 2011 by Judge R. Gregory Horne in Watauga County District Court. Heard in the Court of Appeals 29 September 2011.

*Eggers, Eggers, Eggers & Eggers, PLLC, by Stacy C. Eggers, IV, for surety-appellant.*

*Miller & Johnson, PLLC, by Nathan A. Miller, for judgment creditor-appellee.*

THIGPEN, Judge.

The senior resident superior court judge of the 24th Judicial District issued an administrative order regarding conditions of pretrial release applicable to counties within the

senior resident superior court judge's district. The order was issued without consulting with the chief district court judge or other district court judges within the district. A district court judge within the judicial district did not follow the administrative order. We must decide whether the district court judge erred by not following the administrative order. We conclude that since the administrative order was issued in contravention of N.C. Gen. Stat. § 15A-535(a) (2009), the district court judge did not err.

The relevant facts and issues on appeal in this case are indistinguishable from its companion case, *State v. Harrison*, \_\_ N.C. App. \_\_, \_\_ S.E.2d \_\_ (2011). In *Harrison*, this Court concluded that because the senior resident superior court judge did not enter the administrative order in compliance with N.C. Gen. Stat. § 15A-535(a), the district court did not err by denying the Surety's motion to set aside the forfeiture.

Based on this Court's holding in *Harrison*, we conclude the district court in this case did not err by denying the Surety's motion to set aside the forfeiture. We affirm the order of the district court.

AFFIRMED.

Judges GEER and STROUD concur.

Report per Rule 30(e).