

IN THE SUPREME COURT OF NORTH CAROLINA

No. 176A10

FILED: 8 OCTOBER 2010

STATE OF NORTH CAROLINA

v.

CHARLES RALPH HINSON

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. ___, 691 S.E.2d 63 (2010), finding error in a judgment entered 17 October 2008 by Judge James W. Morgan in Superior Court, Cleveland County, and ordering a new trial in part and remanding for resentencing. Heard in the Supreme Court 8 September 2010.

Roy Cooper, Attorney General, by John P. Scherer II and Katherine A. Murphy, Assistant Attorneys General, for the State-appellant.

Teddy & Meekins, by Anne Bleyman, for defendant-appellee.

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed.

REVERSED.