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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA19-405

Filed: 18 February 2020

Henderson County, No. 17 CRS052480

STATE OF NORTH CAROLINA

v.

CHRISTINA LEIGH ROBINSON

Appeal by defendant from judgment entered 28 September 2018 by Judge R. Gregory Horne in Superior Court, Henderson County. Heard in the Court of Appeals 30 October 2019.

Attorney General Joshua H. Stein, by Assistant Attorney General Donna B. Wojcik, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender Kathryn L. VandenBerg, for defendant-appellant.

STROUD, Judge.

Defendant appeals her conviction for robbery with a dangerous weapon. Because the State failed to present substantial evidence of each element of aiding and abetting the commission of the robbery with a dangerous weapon, the trial court should have granted defendant's motion to dismiss. We therefore reverse.

STATE V. ROBINSON

Opinion of the Court

Defendant was tried jointly with the father of her child, Mr. Samuel Angram. Both were charged with conspiracy to commit robbery with a dangerous weapon and robbery with a dangerous weapon based upon the robbery of Mr. Marvin Price. Mr. Angram's brother, Michael Angram was convicted of the armed robbery in a trial before the trial of defendant and Samuel Angram. Both defendant and Samuel Angram were convicted of robbery with a dangerous weapon based upon aiding and abetting Michael Angram; both were acquitted of conspiracy to commit robbery.

We addressed Mr. Samuel Angram's appeal in *State v. Angram*, ___ N.C. App. ___, ___ S.E.2d ___ (2020) (COA19-151), and reversed his conviction based upon insufficiency of the evidence. Here too, defendant contends the evidence against her was insufficient. The evidence against defendant here was the same as that against Mr. Angram. There is no material difference between the legal or evidentiary issues raised by defendant and Mr. Angram. Based on *Angram*, we reverse. *See id.* Because we are reversing defendant's conviction based upon insufficiency of the evidence, we need not address defendant's other issues on appeal.

REVERSED.

Judges ZACHARY and MURPHY concur.

Report per Rule 30(e).