STATE OF NORTH CAROLINA v. ARTHUR EDWARD BALDWIN, JR.

No. 126PA97-2

(Filed 5 October 2001)

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 139 N.C. App. 65, 532 S.E.2d 808 (2000), remanding for a new sentencing hearing a judgment entered by Ross, J., on 15 December 1998 in Superior Court, Forsyth County. Heard in the Supreme Court 13 September 2001.

Roy A. Cooper, Attorney General, by Christopher W. Brooks, Assistant Attorney General, for the State-appellant.

J. Clark Fischer for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.

Justice EDMUNDS did not participate in the consideration or decision of this case.