

IN THE SUPREME COURT OF NORTH CAROLINA

No. 204A14

FILED 10 April 2015

STATE OF NORTH CAROLINA

v.

HOWARD JUNIOR EDGERTON

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. \_\_\_, 759 S.E.2d 669 (2014), vacating a judgment entered on 21 March 2013 by Judge Gary M. Gavenus in Superior Court, Rutherford County, and remanding for a new trial. Heard in the Supreme Court on 24 February 2015.

*Roy Cooper, Attorney General, by Teresa M. Postell, Assistant Attorney General, for the State-appellant.*

*Michael E. Casterline for defendant-appellee.*

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed. This case is remanded to the Court of Appeals for consideration of defendant's remaining issues on appeal.

REVERSED AND REMANDED.