

IN THE SUPREME COURT OF NORTH CAROLINA

No. 4PA17

Filed 2 March 2018

STATE OF NORTH CAROLINA

v.

LEONARD PAUL SCHALOW

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 795 S.E.2d 567 (2016), vacating defendant's conviction and a resulting judgment entered on 5 November 2015 by Judge Mark E. Powell in Superior Court, Henderson County. Heard in the Supreme Court on 5 February 2018.

Joshua H. Stein, Attorney General, by Joseph L. Hyde, Assistant Attorney General, for the State-appellant.

Glenn Gerding, Appellate Defender, by Daniel Shatz, Assistant Appellate Defender, for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.