

STATE OF NORTH CAROLINA v. ABRAHAM HARRISON

No. 228A05

FILED 7 APRIL 2006

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 169 N.C. App. 257, 610 S.E.2d 407 (2005), finding no prejudicial error in defendant's trial which resulted in a judgment entered 30 September 2003 by Judge Richard L. Doughton in Superior Court, Guilford County. Heard in the Supreme Court 13 March 2006.

*Roy Cooper, Attorney General, by M. Lynne Weaver, Assistant Attorney General, for the State.*

*Lisa Miles and Mark Montgomery for defendant-appellant.*

PER CURIAM.

Justice TIMMONS-GOODSON took no part in the consideration or decision of this case. The remaining members of the Court are equally divided, with three members voting to affirm and three members voting to reverse the decision of the Court of Appeals. Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. See *Crawford v. Commercial Union Midwest Ins. Co.*, 356 N.C. 609, 572 S.E.2d 781 (2002); *Robinson v. Byrd*, 356 N.C. 608, 572 S.E.2d 781 (2002).

AFFIRMED.