

IN THE SUPREME COURT OF NORTH CAROLINA

No. 299A11

(FILED 27 JANUARY 2012)

STATE OF NORTH CAROLINA

v.

RAYMOND LORENZO BURKE, JR.

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. ___, 712 S.E.2d 704 (2011), vacating a judgment entered on 24 August 2009 by Judge Theodore S. Royster in Superior Court, Mecklenburg County. Heard in the Supreme Court on 11 January 2012.

Roy Cooper, Attorney General, by Martin T. McCracken, Assistant Attorney General, for the State-appellant.

The Wright Law Firm of Charlotte, PLLC, by Roderick M. Wright, Jr., for defendant-appellee.

PER CURIAM.

AFFIRMED.