STATE OF NORTH CAROLINA v. RICKY NEAL YOUNG

No. 454PA00

(Filed 5 October 2001)

On discretionary review pursuant to N.C.G.S. § 7A-31 of a decision of the Court of Appeals, 140 N.C. App. 1, 535 S.E.2d 380 (2000), reversing a judgment entered by Baker, J., on 18 December 1998, in Superior Court, Buncombe County. Heard in the Supreme Court 10 September 2001.

Roy A. Cooper, Attorney General, by John J. Aldridge, III, Assistant Attorney General, for the State-appellant.

Michael E. Casterline, for defendant-appellee.

Forman Rossabi Black Marth Iddings & Slaughter, P.A., by Amiel J. Rossabi, and Seth H. Jaffe, counsel, on behalf of the American Civil Liberties Union of North Carolina Legal Foundation, Inc., amicus curiae.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.