

STATE OF NORTH CAROLINA v. BILLY LEE MCFAYDEN, JR. and SURETY  
ROBERT L. MCQUEEN

No. 560A04

FILED: 7 APRIL 2005

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 166 N.C. App. \_\_\_, 601 S.E.2d 888 (2004), affirming an order entered 10 March 2003 by Judge E. Lynn Johnson in Superior Court, Cumberland County. Heard in the Supreme Court 16 March 2005.

*David Phillips for appellee Cumberland County Board of Education.*

*Parish & Cooke, by James R. Parish, for the surety-appellant.*

PER CURIAM.

AFFIRMED.