

STATE OF NORTH CAROLINA v. DAVID RENE CRUZ and ROBERT L. MCQUEEN

No. 561A04

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 886 (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.