STATE OF NORTH CAROLINA ${\tt v.}$ KENDALL JERMAINE BARNETT

No. 64A01

(Filed 9 November 2001)

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 141 N.C. App. 378, 540 S.E.2d 423 (2000), finding no error in a judgment imposing a sentence of life imprisonment without parole entered by Caldwell, J., on 2 December 1998 in Superior Court, Gaston County, upon a jury verdict finding defendant guilty of first-degree murder. Heard in the Supreme Court 18 October 2001.

Roy A. Cooper, Attorney General, by Anne M. Middleton, Assistant Attorney General, for the State.

Staples Hughes, Appellate Defender, by Anne M. Gomez, Assistant Appellate Defender, for defendant-appellant.

PER CURIAM.

AFFIRMED.