

IN THE SUPREME COURT OF NORTH CAROLINA

No. 113PA10

FILED: 3 FEBRUARY 2011

STATE OF NORTH CAROLINA

v.

ARTIVES JEROD FREEMAN

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 690 S.E.2d 17 (2010), ordering a new trial following a judgment imposing a sentence of life imprisonment without parole upon a jury verdict finding defendant guilty of first-degree murder and a judgment imposing a concurrent term of imprisonment for another conviction, both entered on 2 September 2008 by Judge Albert Diaz in Superior Court, Mecklenburg County. Heard in the Supreme Court 10 January 2011.

Roy Cooper, Attorney General, by Robert C. Montgomery, Special Deputy Attorney General, for the State-appellant.

Staples S. Hughes, Appellate Defender, by Benjamin Dowling-Sendor, Assistant Appellate Defender, for defendant-appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.