

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

NO. COA02-31

NORTH CAROLINA COURT OF APPEALS

Filed: 6 August 2002

STATE OF NORTH CAROLINA

v.

New Hanover County
Nos. 99 CRS 19352,
99 CRS 9892

DANIEL DIRELL SUTTON

Appeal by defendant from judgments entered 29 August 2001 and 30 August 2001 by Judge Jerry Braswell in New Hanover County Superior Court. Heard in the Court of Appeals 22 July 2002.

Attorney General Roy Cooper, by Assistant Attorney General Thomas M. Woodward, for the State.

James M. Bell for defendant-appellant.

WALKER, Judge.

Defendant was charged in case number 99CRS19352 with possession with intent to sell or deliver cocaine, sale of cocaine, and delivery of cocaine. He was charged in case number 99CRS9892 with possession with intent to sell or deliver cocaine. On 29 August 2001, defendant was found guilty of the charges in the first indictment (99CRS19352) and was sentenced to a term of fifteen to eighteen months which was suspended. He then entered an *Alford* plea to the charge in the second indictment (99CRS9892) on the next

day. He was sentenced to an active term of eight to ten months in prison.

Defendant's counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738, 18 L. Ed. 2d 493 (1967) and *State v. Kinch*, 314 N.C. 99, 331 S.E.2d 665 (1985). Counsel has attached to the brief a copy of a letter he wrote to defendant advising defendant of his inability to find possible prejudicial error and of defendant's right to file his own written arguments directly with this Court. Counsel provided defendant with copies of the record on appeal, the transcript, and the brief filed by counsel. Counsel has complied to our satisfaction with the requirements of *Anders* and *Kinch*.

Defendant has not filed any *pro se* arguments. After carefully reviewing the record, we are unable to find error to support a meaningful appeal.

No error.

Judges THOMAS and BIGGS concur.

Report per Rule 30(e).