

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA11-521  
NORTH CAROLINA COURT OF APPEALS

Filed: 20 September 2011

STATE OF NORTH CAROLINA

v.

Buncombe County  
Nos. 09 CRS 53221, 54830

MARCUS DESHAUN LOGAN

Appeal by defendant from judgment entered 13 January 2011  
by Judge Mark E. Powell in Buncombe County Superior Court.  
Heard in the Court of Appeals 6 September 2011.

*Attorney General Roy Cooper, by Assistant Attorney General  
Brenda Eaddy, for the State.*

*Jon W. Myers for defendant-appellant.*

HUNTER, JR., Robert N., Judge.

On 15 July 2009, defendant Marcus Deshaun Logan pled guilty  
to attempted common law robbery and injury to real property.  
The trial court sentenced defendant to a term of six to eight  
months imprisonment. The trial court suspended defendant's  
sentence and placed him on supervised probation for eighteen  
months.

On 12 November 2010, a probation violation report was filed alleging that defendant: (1) tested positive for marijuana; (2) was in arrears on the monetary conditions of his probation; (3) was unsuccessfully discharged from a treatment program; and (4) failed to obtain gainful employment.

On 13 January 2011, the trial court held a probation violation hearing in Buncombe County Superior Court. Defendant admitted to violating his probation. The trial court found that defendant willfully violated the terms of his probation. Accordingly, the trial court revoked defendant's probation and activated his suspended sentence. Defendant appeals.

Counsel appointed to represent defendant has been unable to identify any issue with sufficient merit to support a meaningful argument for relief on appeal and asks that this Court conduct its own review of the record for possible prejudicial error. Counsel has also shown to the satisfaction of this Court that he has complied with the requirements of *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), by advising defendant of his right to file written arguments with this Court and providing him with the documents necessary for him to do so.

Defendant has not filed any written arguments on his own behalf with this Court and a reasonable time in which he could

have done so has passed. In accordance with *Anders*, we have fully examined the record to determine whether any issues of arguable merit appear therefrom. We have been unable to find any possible prejudicial error and conclude that the appeal is wholly frivolous.

No error.

Judges MARTIN and THIGPEN concur.

Report per Rule 30(e).