

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA01-1337

NORTH CAROLINA COURT OF APPEALS

Filed: 21 May 2002

STATE OF NORTH CAROLINA

v.

Wake County
No. 98 CRS 10808

GARY COOPER, a/k/a
KNOWLEDGE

Appeal by defendant from judgment entered 20 April 1999 by Judge W. Osmond Smith, III, in Wake County Superior Court. Heard in the Court of Appeals 29 April 2002.

Attorney General Roy Cooper, by Assistant Attorney General Floyd M. Lewis, for the State.

Ligon and Hinton, by Lemuel W. Hinton, for defendant-appellant.

MARTIN, Judge.

By a proper bill of indictment dated 19 February 1998, defendant was charged with conspiracy to traffic in cocaine by transportation, possession, and sale and delivery. A jury found defendant guilty of conspiracy to traffic in cocaine by transportation, possession, sale or delivery of 400 grams or more of cocaine. The trial court sentenced defendant to a term of imprisonment of a minimum of 175 months and a maximum of 219 months. Defendant appeals.

Defendant's counsel states that he "finds no basis to pursue the matters previously assigned as error[,]" and asks this Court to

review the record for any prejudicial error.

Counsel has 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, *reh'g denied*, 388 U.S. 924, 18 L. Ed. 2d 1377 (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 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 must fully examine the record to determine whether any issues of arguable merit appear therefrom or whether the appeal is wholly frivolous. We conclude the appeal is wholly frivolous. In reaching this conclusion, we have conducted our own examination of the record for possible prejudicial error and have found none.

We hold defendant had a fair trial, free from prejudicial error.

No error.

Judges HUNTER and BRYANT concur.

Report per Rule 30(e).