

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA01-894

NORTH CAROLINA COURT OF APPEALS

Filed: 7 May 2002

STATE OF NORTH CAROLINA

v.

ANDREW NATHANIEL MATTHEWS

Wayne County
Nos. 00 CRS 54404
00 CRS 5692

Appeal by defendant from judgment entered 28 February 2001 by Judge Donald M. Jacobs in Wayne County Superior Court. Heard in the Court of Appeals 8 April 2002.

Attorney General Roy Cooper, by Special Deputy Attorney General Roy A. Giles, Jr., for the State.

Benjamin M. Turnage for defendant-appellant.

TYSON, Judge.

Andrew Nathaniel Matthews ("defendant") was convicted by a jury verdict of guilty of felony possession of cocaine and having attained the status of habitual felon. The trial court sentenced defendant to 116-149 months imprisonment. 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, *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 the documents necessary for him to do so.

Defendant has filed written arguments on his own behalf with this Court, and after examination thereof, we find them to be unpersuasive. We have fully examined the record to determine whether any issues of arguable merit appear therefrom or whether the appeal is wholly frivolous. We conclude that the record reveals no prejudicial error and that the appeal is without merit.

No error.

Judges GREENE and HUDSON concur.

Report per Rule 30(e).