

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA02-434

NORTH CAROLINA COURT OF APPEALS

Filed: 15 October 2002

STATE OF NORTH CAROLINA

v.

Rutherford County
No. 00 CRS 9291

DEMIEN PERCELL PRICE,
Defendant.

Appeal by defendant from judgment entered 4 June 2001 by Judge Loto G. Caviness in Rutherford County Superior Court. Heard in the Court of Appeals 7 October 2002.

Attorney General Roy Cooper, by Assistant Attorney General Daniel P. O'Brien, for the State.

David W. Rogers for defendant-appellant.

EAGLES, Chief Judge.

Demien Price ("defendant") pled guilty to the charge of robbery with a dangerous weapon. The trial court entered judgment sentencing defendant to fifty-one to seventy-one months' imprisonment. Defendant appeals.

Counsel appointed to represent defendant on appeal has filed an *Anders* brief indicating that he is unable to identify an issue with sufficient merit to support a meaningful argument for relief on appeal. He asks that this Court conduct its own review of the record for possible prejudicial error. Counsel has filed

documentation with the Court showing 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 the Court and providing him with a copy of the documents pertinent to his appeal. Defendant has filed no arguments of his own with this Court and a reasonable time for him to do so has passed.

In accordance with *Anders* and *Kinch*, we have fully examined the record to determine whether any issues of arguable merit appear therein. We find no error and conclude that the appeal is frivolous.

No error.

Judges McCULLOUGH and HUDSON concur.

Report per Rule 30(e).