

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA04-388

NORTH CAROLINA COURT OF APPEALS

Filed: 5 October 2004

STATE OF NORTH CAROLINA

v.

Mecklenburg County  
No. 00 CRS 21058

EURIKA MUNGO

Appeal by defendant from judgment entered 3 December 2003 by Judge David S. Cayer in Mecklenburg County Superior Court. Heard in the Court of Appeals 4 October 2004.

*Attorney General Roy Cooper, by Special Deputy Attorney General Lars F. Nance, for the State.*

*Appellate Defender Staples Hughes, for defendant-appellant.*

TYSON, Judge.

Eurika Mungo ("defendant") appeals from the judgment revoking her probation and activating her suspended sentence. We affirm.

I. Background

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 this Court to 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 her right to file written arguments with this Court and providing her with the documents necessary for her to do so. Defense counsel's brief contains a letter dated 5 May 2004 transmitting to defendant the record on appeal and transcript and advising her to "submit the arguments themselves as quickly as possible."

Defendant has not filed any written arguments on her own behalf with this Court. A reasonable time in which she 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 or whether the appeal is wholly frivolous. We have examined the record for possible prejudicial error and found none.

## II. Conclusion

We conclude that the appeal is wholly frivolous. The judgment of the trial court is affirmed.

Affirmed.

Judges WYNN and GEER concur.

Report per Rule 30(e).