

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA04-432

NORTH CAROLINA COURT OF APPEALS

Filed: 19 October 2004

STATE OF NORTH CAROLINA

v.

Cleveland County  
No. 02 CRS 55098

DEMARIO RASHAWN PETTY

Appeal by Defendant from judgment entered 19 September 2003 by Judge J. Gentry Caudill in Superior Court, Cleveland County. Heard in the Court of Appeals 11 October 2004.

*Attorney General Roy Cooper, by Assistant Attorney General Dennis Myers, for the State.*

*Broker & Hamrick, P.A., by Leah Broker for defendant-appellant.*

WYNN, Judge.

Defendant Demario Rashawn Petty appeals from judgment of the trial court entered upon a jury verdict finding Defendant guilty of second degree murder. The trial court sentenced Defendant to a minimum term of 170 months and a maximum term of 213 months.

Defendant's counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738, 18 L. Ed. 2d 493 (1967). Counsel states that she "is unable to identify an issue with sufficient merit to support a meaningful argument for relief on appeal." Counsel has attached to the appellant's brief a copy of a letter she wrote to Defendant advising him he could file his own supplemental written

arguments. Defendant has not personally filed anything.

After carefully reviewing the record, we are unable to find possible error to support a meritorious appeal.

No error.

Judges TYSON and GEER concur.

Report per Rule 30(e).