

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA06-1305

NORTH CAROLINA COURT OF APPEALS

Filed: 01 May 2007

STATE OF NORTH CAROLINA

v.

JAMES FITZGERALD PATTERSON

Alamance County
Nos. 05 CRS 58467, 61663,
06 CRS 3929-31,
50994, 51686, 52080

Appeal by defendant from judgment entered 9 May 2006 by Judge J.B. Allen, Jr., in Alamance County Superior Court. Heard in the Court of Appeals 09 April 2007.

Attorney General Roy Cooper, by Assistant Attorney General Julia Wolf Hejazi, for the State.

Hall & Hall Attorneys at Law, P.C., by Douglas L. Hall, for defendant-appellant.

STEELMAN, Judge.

James Fitzgerald Patterson ("defendant") appeals from judgments entered 9 May 2006 after defendant pled guilty to three counts of felony possession of cocaine, two counts of felony larceny, possession of drug paraphernalia, possession with intent to sell or deliver cocaine, driving while impaired, misdemeanor possession of marijuana, second degree trespass, misdemeanor larceny, assault with a deadly weapon, and being an habitual felon. In accordance with *Anders v. California*, 386 U.S. 738, 18 L. Ed. 2d 493 (1967), and *State v. Kinch*, 314 N.C. 99, 331 S.E.2d 665 (1985),

defense counsel prays that the court "conduct its own full review of the [r]ecord for possible prejudicial error[.]" We conclude that this appeal has no issues of arguable merit, and therefore affirm the trial court.

On 9 May 2006, defendant pled guilty pursuant to a plea agreement providing that the charges were to be consolidated for judgment and defendant was sentenced at a prior record level V to an active term of 121 to 155 months imprisonment, the minimum presumptive range sentence. 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 (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 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 have fully examined the record, and conclude that no issues of arguable merit appear therefrom.

AFFIRMED.

Judges MCCULLOUGH and LEVINSON concur.

Report per Rule 30(e).