

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA06-1440

NORTH CAROLINA COURT OF APPEALS

Filed: 01 May 2007

STATE OF NORTH CAROLINA

v.

Davidson County
No. 05 CRS 52875

KEITH BRIAN LEACH

Appeal by defendant from judgment entered 11 July 2006 by Judge Mark Klass in Davidson County Superior Court. Heard in the Court of Appeals 16 April 2007.

Attorney General Roy Cooper, by Assistant Attorney General Joan M. Cunningham, for the State.

William B. Gibson, for defendant-appellant.

STEELMAN, Judge.

A jury found defendant guilty of misdemeanor cruelty to animals and not guilty of assault with a deadly weapon. Upon his stipulation to a prior conviction level II, the trial court sentenced him to a suspended term of forty-five days in jail and placed him on supervised probation for twenty-four months. Defendant gave notice of appeal in open court.

Counsel appointed to represent defendant has been unable to identify any 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 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 to do so. Defendant has not filed any written arguments, and a reasonable time for him to 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. Finding no possible prejudicial error, we affirm the judgment of the trial court.

NO ERROR.

Judges McCULLOUGH and LEVINSON concur.

Report per Rule 30(e).