

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA06-318

NORTH CAROLINA COURT OF APPEALS

Filed: 6 March 2007

In re W.D.M.

Stokes County  
No. 05 J 35 B

Appeal by juvenile from judgment entered 16 August 2005 by Judge Mark H. Badgett, in District Court, Stokes County. Heard in the Court of Appeals 6 February 2007.

*Attorney General Roy Cooper, by Assistant Attorney General Elizabeth L. Oxley, for the State.*

*Brannon Strickland, PLLC, by Martlet M. Edwards, for Respondent-Appellant.*

WYNN, Judge.

This appeal arises from the adjudication and disposition of Juvenile as delinquent for damaging a school computer, in violation of Section 14-455 of the North Carolina General Statutes.<sup>1</sup>

On appeal, Juvenile presents one argument challenging the trial court's order requiring him to pay restitution in the amount of \$144.41 over a twelve-month period to compensate for the damaged computer. See N.C. Gen. Stat. § 7B-2506 (4) (2005) ("the court

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<sup>1</sup> "It is unlawful to willfully and without authorization alter, damage, or destroy a computer, computer program, computer system, computer network, or any part thereof." N.C. Gen. Stat. § 14-455 (2005).

exercising jurisdiction over a juvenile who has been adjudicated delinquent may" order the juvenile to pay "restitution . . . up to five hundred dollars . . . payable within a 12-month period to any person who has suffered loss or damage as a result of the offense committed by the juvenile."). However, the record shows that no objection was made at trial to the award of restitution; accordingly, this issue was not preserved for appellate review. See N.C.R. App. P. 10 (b) (1) ("In order to preserve a question for appellate review, a party must have presented to the trial court a timely request, objection or motion, stating the specific grounds for the ruling the party desired the court to make if the specific grounds were not apparent from the context."). Moreover, Juvenile makes no argument on appeal that this error amounted to plain error. N.C.R. App. P. 10(b) (1). Accordingly, we must dismiss this appeal.

Dismissed.

Judges STEELMAN and JACKSON concur.

Report per rule 30(e).