

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA06-388

NORTH CAROLINA COURT OF APPEALS

Filed: 21 November 2006

STATE OF NORTH CAROLINA

v.

Scotland County
Nos. 04 CRS 53031, 53400

MOSES LEE CAMPBELL

Appeal by defendant from judgment entered 26 July 2005 by Judge B. Craig Ellis in Scotland County Superior Court. Heard in the Court of Appeals 13 November 2006.

Attorney General Roy Cooper, by Special Deputy Attorney General Mabel Y. Bullock, for the State.

Eric A. Bach for defendant-appellant.

LEVINSON, Judge.

On 26 July 2005, defendant pled guilty pursuant to a plea agreement to two counts of obtaining property by false pretenses. In accordance with the plea agreement, the convictions were consolidated for judgment and defendant was sentenced to a suspended term of eight to ten months imprisonment. Defendant was placed on supervised probation for sixty months and ordered to pay restitution. 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, *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 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 to determine whether any issues of arguable merit appear therefrom. We have been unable to find any possible prejudicial error and conclude that the appeal is wholly frivolous.

Affirmed.

Judges TYSON and BRYANT concur.

Report per Rule 30(e).