

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA09-324

NORTH CAROLINA COURT OF APPEALS

Filed: 1 September 2009

STATE OF NORTH CAROLINA

v.

Buncombe County
Nos. 08 CRS 57259-62

CHARLES BARON TAYLOR

Appeal by defendant from judgment entered 16 December 2008 by Judge Dennis J. Winner in Buncombe County Superior Court. Heard in the Court of Appeals 27 July 2009.

Attorney General Roy Cooper, by Assistant Attorney General Anne M. Middleton, for the State.

Richard Croutharmel, for defendant-appellant.

ELMORE, Judge.

On 16 December 2008, defendant Charles Baron Taylor pled guilty pursuant to a plea agreement to four counts of taking indecent liberties with a child. The terms of the plea agreement stated that the charges would be consolidated and defendant would be sentenced as a Class F, Level II felon. Pursuant to the plea agreement, the trial court sentenced defendant to a single term of eighteen to twenty-two months imprisonment. The trial court suspended the sentence and placed defendant on supervised probation

for thirty-six months. 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 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.

No error.

Chief Judge MARTIN and Judge Bryant concur.

Report per Rule 30(e).