

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA09-76

NORTH CAROLINA COURT OF APPEALS

Filed: 7 July 2009

STATE OF NORTH CAROLINA

v.

DARRYL EUGENE TURNER

Mecklenburg County
Nos. 08 CRS 2610, 26099-100
08 CRS 46153, 46155

Appeal by defendant from judgments entered 26 August 2008 by Judge Timothy L. Patti in Mecklenburg County Superior Court. Heard in the Court of Appeals 17 June 2009.

Attorney General Roy Cooper, by Assistant Attorney General Thomas Henry, for the State.

Carol Ann Bauer for defendant-appellant.

ELMORE, Judge.

Defendant Darryl Turner appeals from judgments entered after his plea of guilty to three counts of larceny after breaking or entering, and one count each of breaking or entering and larceny of a motor vehicle.

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 she 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 by providing defendant 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 transcript to determine whether any issues of arguable merit appear therefrom or whether the appeal is wholly frivolous. We conclude that the appeal is wholly frivolous.

No error.

Chief Judge MARTIN and Judge BRYANT concur.

Report per Rule 30(e).