

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA10-208

NORTH CAROLINA COURT OF APPEALS

Filed: 7 September 2010

STATE OF NORTH CAROLINA

v. Hoke County
Nos. 09 CRS 265
CURTIS LEE BALDWIN, 09 CRS 50048-51
Defendant.

Appeal by defendant from judgment entered 16 September 2009 by Judge Douglas B. Sasser in Hoke County Superior Court. Heard in the Court of Appeals 30 August 2010.

Attorney General Roy Cooper, by Assistant Attorney General P. Bly Hall, for the State.

Gilda C. Rodriguez for defendant-appellant.

HUNTER, Robert C., Judge.

On 16 September 2009, pursuant to a plea agreement, defendant pled guilty to felony fleeing to elude arrest, assault with a deadly weapon on a government official, driving while license revoked, reckless driving, failure to stop at a stop sign, and having attained habitual felon status. Defendant stipulated that he was a Record Level V for sentencing purposes. The trial court consolidated the charges and defendant was sentenced to a mitigated-range term of 100 to 129 months imprisonment. From the judgment entered, defendant appeals.

Counsel for defendant represents that she has been unable to identify any issues that, in her opinion, have sufficient merit to support a meaningful argument for relief on appeal. Consequently, counsel submits the appellant's brief pursuant to *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). She asks that this Court conduct its own review of the record for possible prejudicial error.

By letter dated 22 April 2010, counsel informed defendant that she is unable to identify any issue that, in her opinion, has any potential to support a finding by the Court of prejudicial error. Further, counsel informed defendant that he could file his own arguments with this Court, if he so desired. Copies of the transcript, record, and the brief filed by counsel were sent to defendant. Accordingly, we hold that defendant's counsel has substantially complied with the holdings in *Anders* and *Kinch*. Defendant has filed arguments with this Court.

In accordance with *Anders*, we have reviewed defendant's arguments and 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 BRYANT and STEELMAN concur.

Report per Rule 30(e).