

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA10-209

NORTH CAROLINA COURT OF APPEALS

Filed: 7 September 2010

STATE OF NORTH CAROLINA

v.

Cabarrus County
No. 07 CRS 2152

JORINDAL QUANTARIUS PARKS,
Defendant.

Appeal by defendant from judgment entered 9 November 2009 by Judge Tanya T. Wallace in Cabarrus County Superior Court. Heard in the Court of Appeals 24 August 2010.

Attorney General Roy Cooper, by Assistant Attorney General Ann Stone, for the State.

Wyrick Robbins Yates & Ponton LLP, by Edward Eldred, for defendant appellant.

HUNTER, Robert C. Judge.

On 19 February 2007, a grand jury indicted defendant Jorindal Quantarius Parks ("defendant") for the following crimes: (1) possession with intent to sell or deliver cocaine; (2) selling cocaine; and (3) delivering cocaine. On 20 September 2007, defendant pled guilty to selling cocaine, and pursuant to a plea agreement, the State agreed to dismiss the remaining two charges. The State also agreed to a suspended sentence. The trial court entered judgment on the same day, imposed a suspended sentence of 20 to 24 months imprisonment, and placed defendant on 30 months of

supervised probation. On 15 August 2008, the trial court modified defendant's probation, ordering defendant to participate in and complete the Community Justice Partnership Program ("CJPP") and abide by all regulations of the program.

On 18 August 2009, defendant's probation officer filed a probation violation report, alleging that defendant: (1) failed to comply with two monetary conditions of his probation; (2) failed to attend, comply with, and complete CJPP; and (3) failed to maintain contact with his probation officer. On 9 November 2009, the trial court conducted a probation revocation hearing where defendant admitted the violations and the trial court found that defendant had willfully and without lawful excuse violated the terms and conditions of his supervised probation. Thereafter, the trial court revoked defendant's probation and activated his suspended sentence of 20 to 24 months imprisonment. From the judgment entered, 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 or whether the appeal is wholly frivolous. We conclude the appeal is wholly frivolous.

No error.

Judges BRYANT and STEELMAN concur.

Report per Rule 30(e).