

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA13-1166  
NORTH CAROLINA COURT OF APPEALS

Filed: 18 February 2014

STATE OF NORTH CAROLINA

v.

Cumberland County  
No. 11 CRS 61036

EDDIE MCLEAN

Appeal by Defendant from judgment entered 25 June 2013 by Judge James F. Ammons, Jr., in Cumberland County Superior Court. Heard in the Court of Appeals 27 January 2014.

*Attorney General Roy Cooper, by Assistant Attorney General Sherri Horner Lawrence, for the State.*

*Peter Wood for Defendant.*

DILLON, Judge.

On appeal from his district court conviction, Eddie McLean ("Defendant") pled guilty in superior court to assault on a female and stipulated to nineteen prior convictions resulting in a prior conviction level III. The Honorable James F. Ammons, Jr., suspended a sentence of 150 days in the Misdemeanant Confinement Program and placed Defendant on unsupervised probation for 60 months. The judgment includes the requisite

finding by Judge Ammons that it was necessary to impose a period of probation longer than the 18-month presumptive term prescribed by N.C. Gen. Stat. § 15A-1343.2(d)(1) (2011). Defendant filed notice of appeal.

Counsel appointed to represent Defendant is 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. He shows 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 for him to do so has expired. 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.

Chief Judge MARTIN and Judge HUNTER, JR., concur.

Report per Rule 30(e).