

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA13-414
NORTH CAROLINA COURT OF APPEALS

Filed: 17 September 2013

STATE OF NORTH CAROLINA

v. Union County
Nos. 10 CRS 56747;
TYRONE ALSBROOKS 11 CRS 3737

Appeal by defendant from judgment entered 15 November 2012 by Judge Anna Mills Wagoner in Union County Superior Court. Heard in the Court of Appeals 9 September 2013.

Attorney General Roy Cooper, by Assistant Attorney General Alesia Balshakova, for the State.

Edward Eldred for defendant appellant.

McCULLOUGH, Judge.

On 15 November 2012, defendant Tyrone Alsbrooks was found guilty by a jury of breaking or entering a motor vehicle, resisting a public officer, and misdemeanor larceny. Defendant subsequently pled guilty to having attained the status of an habitual felon. The trial court sentenced defendant to a single term of 92 to 120 months' imprisonment. 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.

Judges HUNTER (Robert C.) and BRYANT concur.

Report per Rule 30(e).