

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA13-417  
NORTH CAROLINA COURT OF APPEALS

Filed: 15 October 2013

STATE OF NORTH CAROLINA

v.

Wayne County  
Nos. 11 CRS 4610, 52979

JEROME LAVELLE BARNES

Appeal by defendant from judgment entered 13 June 2012 by Judge W. Allen Cobb, Jr., in Wayne County Superior Court. Heard in the Court of Appeals 7 October 2013.

*Attorney General Roy Cooper, by Assistant Attorney General Amy Kunstling Irene, for the State.*

*Appellate Defender Staples Hughes, by Assistant Appellate Defender Mary Cook, for defendant-appellant.*

BRYANT, Judge.

Defendant was charged by indictments with habitual driving while impaired and attaining habitual felon status. Defendant stipulated to having three prior convictions for driving while impaired and left for determination by the jury the issue of whether he was guilty of driving while impaired on 12 June 2011. The jury found defendant guilty of that offense. Defendant then

pled guilty to attaining habitual felon status. In accordance with the jury verdict and defendant's plea, the trial court entered judgment against defendant for habitual impaired driving and attaining habitual felon status. Defendant was sentenced to active imprisonment for a period of 67 to 90 months.

In accordance with *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), defendant's counsel has filed a brief on his behalf in which she states she has examined the record, cases, and statutes and "is unable to identify any issue with sufficient merit to support a meaningful argument for relief on appeal." Counsel asks this Court to examine the record on appeal for possible prejudicial error counsel may have overlooked. Counsel has attached to the brief a copy of a letter she wrote to defendant advising him of her inability to find error, her request to this Court to review the record for possible prejudicial error, and his right to file his own written arguments directly with this Court. Counsel has also noted for the benefit of the Court possible issues to consider. Defendant has not filed his own written arguments.

We have carefully reviewed the record and have been unable to find any possible issues to support a meaningful appeal. We accordingly find no error.

No error.

Judges HUNTER, Robert C., and McCULLOUGH concur.

Report per Rule 30(e).