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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA15-510

Filed: 17 November 2015

Cumberland County, Nos. 09 CRS 57579-80, 13 CRS 56522, 14 CRS 59589

STATE OF NORTH CAROLINA

v.

YOLANDA MARIE INMAN

Appeal by Defendant from judgment entered 16 September 2014 by Judge James G. Bell in Cumberland County Superior Court. Heard in the Court of Appeals 2 November 2015.

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

Irons & Irons, PA, by Ben G. Irons II for defendant-appellant.

HUNTER, JR., Robert N., Judge.

Defendant pled guilty on 23 August 2011 in Cumberland County District Court to one count of making a harassing telephone call and two counts of second degree trespassing. On 26 August 2011, she gave written notice of appeal to the Cumberland County Superior Court. While that appeal was pending, she was charged by criminal information with two felony counts of speeding to elude arrest, resulting from her behavior on 11 April 2013 and 7 August 2014. Pursuant to a plea agreement,

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Defendant pled guilty on 16 September 2014, to one count of making a harassing telephone call, two counts of second degree trespassing, one count of felony speeding to elude arrest, and one count of misdemeanor fleeing to elude arrest, in exchange for a consolidated suspended sentence in the presumptive range. The court sentenced Defendant the same day to a term of 7–18 months' imprisonment. The court suspended the sentence and placed Defendant on supervised probation for a period of 36 months. Defendant filed a *pro se* notice of appeal on 30 September 2014. This Court received the record on appeal on 4 May 2014.

Defendant's *pro se* notice of appeal is technically deficient and fails to comply with N.C.R. App. P. 4 because it does not indicate which court she appeals to, and it does not show service upon the State. However, Defendant has filed a petition for writ of certiorari. In the exercise of our discretion, we allow the petition.

Defendant's appointed counsel filed a brief asking this Court to conduct an independent review of the record 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). Attached to counsel's brief, there is a copy of a letter he wrote to Defendant telling her that he was unable to identify any issue that will provide any meaningful relief. Counsel informed Defendant that she had the right to file her own written arguments directly to this Court. To assist her, counsel gave Defendant the trial transcript, the record on appeal, and a copy of the brief he wrote for her. Counsel told Defendant that she

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needed to give the clerk of this Court immediate notice, if she intends to file her own written arguments. To aid with that effort, counsel gave Defendant the mailing address for this Court.

We conclude counsel has complied with the requirement of *Anders* and *Kinch*. After reviewing the record, we are unable to find any possible prejudicial error to support relief on appeal. We conclude the appeal is wholly frivolous.

For the foregoing reasons, we

AFFIRM.

Chief Judge McGee and Judge Dillon concur.

Report per Rule 30(e).