

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA16-565

Filed: 6 December 2016

Forsyth County, No. 14 CRS 58437

STATE OF NORTH CAROLINA

v.

KEVON ABRIAN GARRISON, Defendant.

Appeal by Defendant from judgment entered 16 October 2015 by Judge A. Moses Massey in Forsyth County Superior Court. Heard in the Court of Appeals 17 November 2016.

*Attorney General Roy Cooper, by Assistant Attorney General Ebony J. Pittman, for the State.*

*Richard Croutharmel for Defendant-Appellant.*

INMAN, Judge.

Kevon Abrian Garrison (“Defendant”) appeals from a judgment entered upon a jury verdict finding him guilty of robbery with a dangerous weapon. After careful review, we hold that Defendant received a fair trial, free from error.

The evidence at trial established that on 12 August 2014, Defendant put a gun to the head of Desire Miller while she was sitting in the driver’s seat of her parked 2005 Jeep Cherokee, ordered her out of the vehicle, and then drove away in the

STATE V. GARRISON

*Opinion of the Court*

vehicle. The trial court found Defendant had accrued a prior record level of IV, based on 11 prior record level points, and sentenced Defendant to a term in the presumptive range of 80 to 108 months' imprisonment. Defendant gave oral notice of appeal at the close of the trial and sentencing proceedings and filed written notice of appeal that same day.

Counsel appointed to represent Defendant has represented he 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 directed this Court's attention to four arguments he considered making on appeal, but concedes that none of the arguments present a meritorious issue. 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 his own written arguments.

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. Accordingly, we hold the Defendant received a fair trial, free from error.

STATE V. GARRISON

*Opinion of the Court*

NO ERROR.

Judges STROUD and TYSON concur.

Report per Rule 30(e).