

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA16-622

Filed: 20 December 2016

Edgecombe County, No. 15 CRS 52017

STATE OF NORTH CAROLINA

v.

JENNIFER NICOLE FERRELL

Appeal by Defendant-Appellant from judgment entered 16 December 2015 by Judge Milton F. Fitch, Jr. in Superior Court, Edgecombe County. Heard in the Court of Appeals 12 December 2016.

Attorney General Roy Cooper, by Assistant Attorney General Kimberly N. Callahan, for the State.

Peter Wood for Defendant-Appellant.

McGEE, Chief Judge.

Jennifer Nicole Ferrell (“Defendant”) appeals from judgment entered upon her guilty plea to misdemeanor larceny. For the reasons set forth below, we affirm the trial court’s judgment.

Defendant was indicted for felony larceny on 12 October 2015. The indictment alleged that Defendant stole assorted jewelry valued at \$1,848.00 from Judy Clark. Prior to trial, the State agreed to dismiss the charge of felony larceny if Defendant

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pled guilty to misdemeanor larceny. Defendant pled guilty to misdemeanor larceny on 15 December 2015. The trial court sentenced Defendant to 120 days' imprisonment.

We note there is no record of Defendant giving notice of appeal either in open court or in writing. In recognition of this fact, Defendant filed a petition for writ of certiorari contemporaneous with her appellate brief asking this Court to review the trial court's judgment. In our discretion, we allow Defendant's petition for writ of certiorari.

Counsel appointed to represent Defendant states that counsel 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. Counsel shows to the satisfaction of this Court that counsel 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 her right to file written arguments with this Court and providing her with the documents necessary to do so.

Defendant has not filed any documents on her own behalf with this Court and a reasonable time for her to do so has expired. In accordance with *Anders*, we have fully examined the record to determine whether any issue of arguable merit appears therefrom. Our review of potential error in this case is limited to those issues

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authorized by N.C. Gen. Stat. § 15A-1444 (2015). We are unable to find any possible prejudicial error and conclude that Defendant's appeal is wholly frivolous. As a result, the trial court's judgment is affirmed.

AFFIRMED.

Judges CALLABRIA and DILLON concur.

Report per Rule 30(e).