

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA19-127

Filed: 3 December 2019

Sampson County, Nos. 14 CRS 52905, 15 CRS 202

STATE OF NORTH CAROLINA

v.

JAMES THOMAS RHODES

On writ of *certiorari* to review judgment entered 27 April 2017 by Judge John E. Nobles, Jr., in Sampson County Superior Court. Heard in the Court of Appeals 18 November 2019.

*Attorney General Joshua H. Stein, by Assistant Attorney General Tamara Mary Van Pala, for the State.*

*Charlotte Gail Blake for Defendant-Appellant.*

DILLON, Judge.

Defendant James Thomas Rhodes was convicted by a jury for possession of firearm by a felon and felony possession of stolen goods. Defendant then entered a guilty plea to attaining the status of a habitual felon.

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Defendant did not timely appeal, but later filed a petition for writ of *certiorari* with this Court, seeking review of the judgment entered against him. A panel of our Court allowed the petition.

Defendant's counsel avers she has been unable to identify any issue with sufficient merit to support a meaningful argument for relief and asks this Court to conduct its own review of the record for possible prejudicial error. Counsel has shown to the satisfaction of this Court that she has complied with the requirements of *Anders v. California*, 386 U.S. 738 (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 to do so. Counsel has also set forth one argument she considered making on appeal but rejected as without merit. Defendant has not filed any written arguments on his own behalf, and a reasonable time within which he could have done so has passed.

In accordance with *Anders* and *Kinch*, we have fully examined the record to determine whether any issues of arguable merit appear to exist. We agree with Defendant's counsel that the potential argument identified in the brief is without merit, and we have been unable to find any possible prejudicial error at trial or in the judgment entered.

NO ERROR.

Judges DIETZ and MURPHY concur.

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Report per Rule 30(e).