

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA04-400

NORTH CAROLINA COURT OF APPEALS

Filed: 21 December 2004

STATE OF NORTH CAROLINA

v.

Rockingham County
No. 03 CRS 50885

LARRY TINSLEY,
Defendant

Appeal by defendant from judgment entered 9 December 2003 by Judge L. Todd Burke in Rockingham County Superior Court. Heard in the Court of Appeals 29 November 2004.

Attorney General Roy Cooper, by Assistant Attorney General Richard G. Sowerby, for the State.

Kelly Scott Lee for defendant-appellant.

STEELMAN, Judge.

Defendant was charged and convicted of common law robbery. The trial court sentenced defendant to a mitigated sentence of 8-10 months imprisonment. This sentence was suspended, and defendant was placed on probation for 36 months. Defendant appeals.

Counsel appointed to represent defendant 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 also shown to the satisfaction of this Court that she has

complied with the requirements of *Anders v. California*, 386 U.S. 738, 18 L. Ed. 2d 493, *reh'g denied*, 388 U.S. 924, 18 L. Ed. 2d 1377 (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 any written arguments on his own behalf with this Court, and a reasonable time in which he could have done so has passed. In accordance with *Anders*, we have fully examined the record to determine whether any issues of arguable merit appear therefrom or whether the appeal is wholly frivolous. We conclude that the appeal is wholly frivolous. Furthermore, we have examined the record for possible prejudicial error and found none.

NO ERROR.

Judges HUNTER and ELMORE concur.

Report per Rule 30(e).