

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA16-880

Filed: 7 March 2017

Pitt County, No. 13 CRS 56753

STATE OF NORTH CAROLINA

v.

BRANDON CHRISTOPHER CARLTON

Appeal by defendant from judgment entered 9 March 2016 by Judge Marvin K. Blount III in Pitt County Superior Court. Heard in the Court of Appeals 20 February 2017.

Attorney General Joshua H. Stein, by Assistant Attorney General Kristin J. Uicker, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender Katherine Jane Allen, for defendant-appellant.

CALABRIA, Judge.

Brandon Christopher Carlton (“defendant”) appeals from a judgment entered pursuant to an *Alford* plea. We affirm.

On 9 March 2016, defendant entered an *Alford* plea to misdemeanor assault on a government official, pursuant to N.C. Gen. Stat. § 14-33(c)(4) (2015).¹ *See North*

¹ Defendant also entered an *Alford* plea to felonious possession of marijuana in file number 16 CRS 31. However, he did not perfect an appeal from the judgment entered therein.

STATE V. CARLTON

Opinion of the Court

Carolina v. Alford, 400 U.S. 25, 27 L. Ed. 2d 162 (1970). The trial court sentenced defendant, as a prior conviction level II, to a suspended term of 75 days in county jail plus 24 months of supervised probation. Defendant filed timely notice of appeal.

Counsel appointed to represent defendant 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 she 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 to do so. Defendant has not filed any written arguments on his own behalf with this Court, and a reasonable time for him to do so has expired.

In accordance with *Anders*, we have fully examined the record to determine whether any issues of arguable merit appear. We have been unable to find any possible prejudicial error and conclude that the appeal is wholly frivolous. Therefore, we affirm the trial court's judgment.

AFFIRMED.

Chief Judge McGEE and Judge DILLON concur.

Report per Rule 30(e).