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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA18-555

Filed: 19 March 2019

Cabarrus County, No. 17 CRS 53756

STATE OF NORTH CAROLINA

v.

STONEY HOLLAND HIGHT

Appeal by defendant from judgment entered 24 January 2018 by Judge Kevin M. Bridges in Cabarrus County Superior Court. Heard in the Court of Appeals 14 March 2019.

*Attorney General Joshua H. Stein, by Assistant Attorney General A. Mercedes Restucha-Klem, for the State.*

*Julie C. Boyer for defendant-appellant.*

TYSON, Judge.

Stoney Holland Hight (“Defendant”) appeals from a judgment entered upon the revocation of his probation. We affirm.

I. Background

On 2 October 2017, Defendant pled guilty pursuant to a plea arrangement to one count of possession of heroin, one count of possession of drug paraphernalia, and

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one count of driving while license revoked - impaired revocation. In accordance with the plea arrangement, the trial court consolidated the offenses for judgment and sentenced Defendant in the presumptive range to 8 to 19 months of imprisonment. That sentence was suspended and Defendant was placed on supervised probation for 36 months.

On 29 November 2017, Defendant's probation officer filed a violation report alleging that Defendant had violated multiple terms of his probation, including that he had absconded from probation supervision. The trial court held a probation violation hearing on 24 January 2018.

Defendant waived his right to be represented by counsel and admitted his violations. The trial court found Defendant to be in willful violation of the terms of his probation, revoked the probation, and activated Defendant's suspended sentence. Defendant filed timely notice of appeal.

II. Jurisdiction

This Court possesses jurisdiction pursuant to N.C. Gen. Stat. §§ 7A-27(b) and 15A-1444(a) (2017).

III. Issue

Counsel appointed to represent Defendant on appeal "is unable to identify an 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.

IV. Analysis

Counsel has 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 (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 and a reasonable time to do so has passed.

V. Conclusion

In accordance with *Anders*, we have examined the record to determine whether any issues of arguable merit appear therefrom. *See id.* We have been unable to find any possible prejudicial error to Defendant and conclude that the appeal is wholly frivolous. The judgment appealed from is affirmed. *It is so ordered.*

AFFIRMED.

Judges BRYANT and ARROWOOD concur.

Report per Rule 30(e).