

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA18-1246

Filed: 6 August 2019

Mecklenburg County, Nos. 17 CRS 31422, 31425

STATE OF NORTH CAROLINA

v.

KENNETH BREWER, Defendant.

Appeal by defendant from judgment entered 5 July 2018 by Judge Daniel A. Kuehnert in Mecklenburg County Superior Court. Heard in the Court of Appeals 22 July 2019.

*Attorney General Joshua H. Stein, by Assistant Attorney General Forrest P. Fallanca, for the State.*

*Sharon L. Smith for defendant-appellant.*

BERGER, Judge.

A jury found Kenneth Brewer (“Defendant”) guilty of possession of a firearm by a felon. Defendant then admitted to attaining habitual felon status. He was sentenced to 80 to 108 months in prison. Defendant appeals.

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The evidence at trial tended to show that Defendant possessed a handgun during an altercation outside of the Hup-In convenience store in Charlotte, North Carolina. Defendant had been previously convicted of felony possession of cocaine.

Defendant's appellate 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 three arguments 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 appellate counsel that the potential arguments identified in the brief are without merit, and we have been unable to find any possible prejudicial error at trial or in the judgment entered.

NO ERROR.

Judges STROUD and ZACHARY concur.

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Report per Rule 30(e).