

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA18-1151

Filed: 6 August 2019

Sampson County, No. 16 CRS 53051

STATE OF NORTH CAROLINA

v.

JOHN VASTON POPE, Defendant.

Appeal by defendant from judgments entered 27 April 2018 by Judge Albert D. Kirby in Sampson County Superior Court. Heard in the Court of Appeals 22 July 2019.

*Attorney General Joshua H. Stein, by Assistant Attorney General Rana M. Badwan, for the State.*

*Winifred H. Dillon for defendant-appellant.*

BERGER, Judge.

On April 27, 2018, a jury found John Vaston Pope (“Defendant”) guilty of possession of methamphetamine and possession of drug paraphernalia for a substance other than marijuana. Upon Defendant’s guilty plea to attaining habitual felon status, the trial court sentenced him to an active prison term of 33 to 52 months

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*Opinion of the Court*

for methamphetamine possession and a consecutive 120-day term for possessing drug paraphernalia. Defendant appeals.

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 this Court to conduct its own review of the record for possible prejudicial error. She shows to the satisfaction of this Court that she 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. Defendant has filed no *pro se* arguments, and a reasonable time for him to do so has passed.

In accordance with *Anders* and *Kinch*, we have fully examined the record to determine whether any issues of arguable merit appear therefrom. We have been unable to find any possible prejudicial error and conclude that the appeal is wholly frivolous. Accordingly, we find no error.

NO ERROR.

Judges STROUD and ZACHARY concur.

Report per Rule 30(e).