

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA24-71

Filed 2 July 2024

Caswell County, No. 21 CRS 50207

STATE OF NORTH CAROLINA

v.

FALECIA ANN RICHMOND

Appeal by defendant from judgment entered 26 June 2023 by Judge John Michael Morris in Caswell County Superior Court. Heard in the Court of Appeals 28 May 2024.

Attorney General Joshua H. Stein, by Assistant Attorney General Ashton H. Roberts, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender Katy Dickinson-Schultz, for defendant-appellant.

ZACHARY, Judge.

Defendant Falecia Ann Richmond appeals from the trial court's judgment entered upon a jury's verdict finding her guilty of second-degree trespass.¹ Counsel for Defendant filed an *Anders* brief on appeal. After careful review, we conclude that

¹ By amended judgment entered 26 June 2023.

Defendant received a fair trial, free from error or prejudicial error.

Background

On 23 May 2023, following a day’s long trial with five witnesses, including one defense witness, the jury returned a verdict finding Defendant guilty of second-degree trespass. On 26 June 2023, the trial court entered judgment against Defendant for second-degree trespass and sentenced her to 15 days in the custody of the Caswell County Sheriff, with credit for 15 days spent in confinement prior to the date of the judgment. Defendant gave oral notice of appeal.

Anders Review

On appeal, Defendant’s counsel filed a brief pursuant to *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), stating that “[a]fter careful review of the record and applicable law, counsel is unable to identify any issue with sufficient merit to support a meaningful argument for relief on appeal.” Counsel “respectfully requests this Court to conduct a full examination of the record for any prejudicial error and determine if any issue has been overlooked.” “In accordance with *Anders* and *Kinch*, counsel advised [Defendant] of her right to file her own arguments and provided [her] with [counsel’s appellant] brief, transcript of proceedings, printed record on appeal, and this Court’s mailing address.” Defendant has not filed any written arguments on her own behalf with this Court, and a reasonable time in which she could have done so has passed.

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Opinion of the Court

“Under our review pursuant to *Anders* and *Kinch*, we must determine from a full examination of all the proceedings whether the appeal is wholly frivolous.” *State v. Frink*, 177 N.C. App. 144, 145, 627 S.E.2d 472, 473 (2006) (cleaned up).

We have conducted a full examination of the record in this case for any issues with arguable merit, including those counsel raises in Defendant’s brief, as required by *Anders* and *Kinch*. We are unable to find any error, and we conclude that this appeal presents no issue that might entitle Defendant to relief from the judgment.

Conclusion

Accordingly, we conclude that Defendant received a fair trial, free from error.

NO ERROR.

Judges COLLINS and STADING concur.

Report per Rule 30(e).