

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA 23-1152

Filed 1 October 2024

Mecklenburg County, No. 20CRS212334

STATE OF NORTH CAROLINA

v.

AIRA SIERA JACOBS, Defendant.

Appeal by defendant from judgment entered 2 June 2023 by Judge George C. Bell in the Mecklenburg County Superior Court. Heard in the Court of Appeals 28 August 2024.

*Attorney General Joshua H. Stein, by Assistant Attorney General Dilcy Burton, for the State.*

*Richard Croutharmel, for defendant-appellant.*

PER CURIAM.

Defendant Aira Siera Jacobs appeals from the trial court's judgment entered after a jury returned a verdict finding Defendant guilty of the lesser-included offense of assault with a deadly weapon inflicting serious injury.

Defendant's counsel has filed a brief on appeal pursuant to *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), and *State v. Kinch*,

314 N.C. 99, 331 S.E.2d 665 (1985). In accordance with the requirements set forth in *Anders* and *Kinch*, counsel states in his brief that he is “unable to identify any issue with sufficient merit to support an argument for relief on appeal,” but “respectfully asks this Court to conduct a full and independent review of the [R]ecord.” *See Anders*, 396 U.S. at 744, 87 S.Ct. at 1400, 189 L.E.2d 493; *see also Kinch*, 314 N.C. at 102, 331 S.E.2d at 666–67. Counsel has also “advised [Defendant] of [her] right to file supplemental arguments on [her] own behalf” in accordance with *Anders* and *Kinch*.

Defendant’s counsel refers this Court to the following issues that may arguably support Defendant’s appeal: (1) whether any prejudicial error occurred in the trial court’s proceedings and (2) whether the trial court reversibly erred in denying Defendant’s request to instruct the jury on misdemeanor assault with a deadly weapon. Pursuant to *Anders* and *Kinch*, in our appellate review, we are tasked to independently examine the entire Record to determine whether Defendant’s appeal is wholly frivolous. *See Anders*, 386 U.S. at 744, 87 S.Ct. at 1400, 189 L.E.2d 493; *see also Kinch*, 314 N.C. at 102–03, 331 S.E.2d at 667 (“[W]e . . . review the legal points appearing in the record, transcript, and briefs, not for the purpose of determining their merits (if any) but to determine whether they are wholly frivolous.” (citation omitted)).

Based on our full and independent examination of the Record, including the issues arguably supporting appeal presented by Defendant’s counsel, we conclude the

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*Opinion of the Court*

Record contains no meritorious issue entitling Defendant to relief, and find no error on the part of the trial court.

NO ERROR.

Panel consisting of Chief Judge DILLON, Judge FLOOD, and Judge THOMPSON.

Report per Rule 30(e).