

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA24-574

Filed 5 February 2025

Hoke County, Nos. 19CRS050253, 19CRS000477

STATE OF NORTH CAROLINA

v.

LARRY MARTIN WARD, JR.

Appeal by defendant by writ of certiorari from judgments entered 21 April 2021 by Judge Michael A. Stone in Hoke County Superior Court. Heard in the Court of Appeals 15 January 2025.

*Attorney General Jeff Jackson, by Assistant Attorney General Ronnie K. Clark, for the State.*

*Shawn R. Evans for defendant-appellant.*

PER CURIAM.

Defendant Larry Martin Ward, Jr., appeals from the trial court's judgments entered upon his plea of guilty to one count of possession of a firearm by a felon and upon a jury's verdicts finding him guilty of one count of trafficking heroin and one count of possession of heroin. Counsel for Defendant filed an *Anders* brief on appeal. After careful review, we conclude that Defendant received a fair trial, free from error

or prejudicial error.

### ***Background***

On 18 November 2019, a Hoke County grand jury indicted Defendant for one count each of possession of a firearm by a felon, trafficking 28 grams or more of heroin, and possession of 28 grams or more of heroin. Defendant entered into a plea agreement with the State on 19 April 2021, pursuant to which he agreed to plead guilty to the charge of possession of a firearm by a felon with sentencing to be held after a jury trial on the remaining charges. On 21 April 2021, the jury returned verdicts finding Defendant guilty of trafficking heroin and possession of heroin.

That same day, the trial court entered judgments against Defendant. The court consolidated his convictions for trafficking heroin and possession of heroin, sentenced him to a term of 225 to 282 months' imprisonment in the custody of the North Carolina Division of Adult Correction, and imposed a \$500,000 fine. The court also entered judgment against Defendant in accordance with the plea agreement regarding possession of a firearm by a felon, sentencing him to a concurrent term of 17 to 30 months' imprisonment.

On 25 January 2023, Defendant filed a petition for writ of certiorari, seeking review of the judgments, which this Court allowed on 2 March 2023.

### ***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).

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*Opinion of the Court*

Counsel has been “unable to identify any discernible issue with sufficient merit to support a meaningful argument for relief on appeal.” Hence, counsel has requested “this Court to conduct a full examination of the record for any prejudicial error and determine if any issue has been overlooked.” Counsel has shown to the satisfaction of this Court that he has complied with the requirements of *Anders* and *State v. Kinch*, 314 N.C. 99, 331 S.E.2d 665 (1985), by advising Defendant of his right to file his own written arguments with this Court and providing him with the documents necessary to do so.

Defendant has not filed any written arguments on his own behalf with this Court, and a reasonable time in which he could have done so has passed. In his *Anders* brief, Defendant’s counsel raised two potential issues for our consideration, neither of which have merit, based on our careful review of the record. Defendant is thus not entitled to relief on these bases.

“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). As required by *Anders* and *Kinch*, we have conducted a full examination of the record for any issue with arguable merit. We have been unable to find any error, and we conclude that this appeal presents no issue that might entitle Defendant to relief.

***Conclusion***

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

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NO ERROR.

Panel consisting of Judges TYSON, ZACHARY, and FLOOD.

Report per Rule 30(e).