

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority.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. COA24-1070

Filed 7 May 2025

Johnston County, No. 19CR050023-500

STATE OF NORTH CAROLINA

v.

JANICE RENEE DRAUGHN, Defendant.

Appeal by defendant from judgment entered 3 June 2024 by Judge Jessica Locklear in the Johnston County Superior Court. Heard in the Court of Appeals 24 April 2025.

*Attorney General Jeff Jackson, by Assistant Attorney General Liliana R. Lopez, for the State.*

*Richard Croutharmel, for defendant-appellant.*

PER CURIAM.

Defendant Janice Renee Draughn appeals the trial court's judgment finding her guilty of speeding in a work zone, driving while impaired, and possessing an alcoholic beverage in the passenger area of a motor vehicle.

Defendant's appellate counsel has filed a brief on appeal pursuant to *Anders v. California*, 386 U.S. 738 (1967), and *State v. Kinch*, 314 N.C. 99 (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; *see also Kinch*, 314 N.C. at 102.

Defendant’s appellate counsel refers this Court to the following issues that may arguably support Defendant’s appeal: (1) whether the trial court plainly and reversibly erred in denying Defendant’s pretrial motion to suppress evidence; (2) during sentencing, whether the trial court reversibly erred in accepting defense counsel’s stipulation to an aggravating factor; and (3) whether Defendant received ineffective assistance of counsel (“IAC”). 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; *see also Kinch*, 314 N.C. at 102–03 (“[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 appellate counsel, we conclude the Record contains no meritorious issue entitling Defendant to relief. Thus, there is no error on the part of the trial court, and we dismiss Defendant’s IAC claim.

NO ERROR In Part, and DISMISSED In Part.

STATE V. DRAUGHN

*Opinion of the Court*

Panel consisting of Judges CARPENTER, GORE and FLOOD.

Report per Rule 30(e).