

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

MIGUEL PESINA, JR.,	§	No. 08-09-00220-CR
Appellant,	§	Appeal from the
v.	§	143rd Judicial District Court
THE STATE OF TEXAS,	§	of Reeves County, Texas
Appellee.	§	(TC# 08-03-07303-CRR)
	§	

MEMORANDUM OPINION

This appeal arises from a judgment revoking Appellant's community supervision, and adjudicating him guilty of burglary of a habitation. The trial court sentenced Appellant to 7 years' imprisonment and imposed a \$1,500 fine. Appellant's court appointed counsel has filed a brief stating the appeal is wholly frivolous and requesting that this Court allow him to withdraw from the case. Affirmed.

Appellant's court-appointed counsel has filed a brief in which he has concluded that the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493, *reh. denied*, 388 U.S. 924, 87 S.Ct. 2094, 18 L.Ed.2d 1377 (1967), presenting a professional evaluation of the record demonstrating why, in effect, there are no arguable grounds to be advanced. *See High v. State*, 573 S.W.2d 807 (Tex.Crim.App. 1978); *Currie v. State*, 516 S.W.2d 684 (Tex.Crim.App. 1974); *Jackson v. State*, 485 S.W.2d 553 (Tex.Crim.App. 1972); *Gainous v. State*, 436 S.W.2d 137 (Tex.Crim.App. 1969). A copy of counsel's brief has been delivered to Appellant, and Appellant has been

advised of his right to examine the appellate record and file a pro se brief. No pro se brief has been filed.

We have carefully reviewed the record and counsel's brief and agree that the appeal is wholly frivolous and without merit. Further, we find nothing in the record that might arguably support the appeal. A discussion of the contentions advanced in counsel's brief would add nothing to the jurisprudence of the state.

The judgment is affirmed.

July 14, 2010

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Rivera, JJ.

(Do Not Publish)