



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

KORBEN MICHAEL CZIBIK,	§	No. 08-16-00188-CR
	§	
Appellant,	§	Appeal from the
	§	
v.	§	426th District Court
	§	
THE STATE OF TEXAS,	§	of Bell County, Texas
	§	(TC# 75482)
	§	
Appellee.	§	

MEMORANDUM OPINION

Korben Michael Czibik appeals his conviction of aggravated sexual assault of a child. Appellant waived his right to a jury trial and entered an open plea of guilty. The trial court found Appellant guilty and assessed his punishment at imprisonment for a term of seventeen years. We affirm.

FRIVOLOUS APPEAL

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 (1967), by presenting a professional evaluation of the record demonstrating why, in effect, there are no arguable grounds to be advanced. See *In re Schulman*, 252 S.W.3d 403, 407 n.9 (Tex.Crim.App. 2008) ("In Texas, an

Anders brief need not specifically advance ‘arguable’ points of error if counsel finds none, but it must provide record references to the facts and procedural history and set out pertinent legal authorities.”); *High v. State*, 573 S.W.2d 807 (Tex.Crim.App. 1978). Counsel has notified the Court in writing that he has delivered a copy of counsel’s brief and the motion to withdraw to Appellant, and he has advised Appellant of his right to review the appellate record and file a *pro se* brief. *Kelly v. State*, 436 S.W.3d 313, 318-20 (Tex.Crim.App. 2014)(setting forth duties of counsel). The Court granted Appellant’s motion for and provided him access to the record. We also granted Appellant an extension of time in which to file his *pro se* brief, but it has not been filed.

We have carefully reviewed the record and counsel’s brief, and we agree that the appeal is wholly frivolous and without merit. Further, we find nothing in the record that might arguably support the appeal. The judgment of the trial court is affirmed.

ANN CRAWFORD McCLURE, Chief Justice

January 18, 2017

Before McClure, C.J., Rodriguez, and Hughes, JJ.
Hughes, J., not participating

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