

Opinion filed February 19, 2015



In The

Eleventh Court of Appeals

No. 11-14-00160-CV

IN THE MATTER OF J.P.M., A JUVENILE

On Appeal from the 90th District Court

Stephens County, Texas

Trial Court Cause No. 598

MEMORANDUM OPINION

In November 2013, Appellant, J.P.M., was placed on deferred prosecution and deferred probation for six months for the offense of criminal mischief. In April 2014, the trial court revoked Appellant's deferred probation based on its findings that Appellant had violated the conditions of his probation. At the same time, the trial court entered an adjudication order in which it found that Appellant had engaged in delinquent conduct by committing the offense of criminal mischief. The trial court also entered a disposition order that placed Appellant on probation for a year.

In June 2014, the State filed a petition to modify the disposition based on allegations that Appellant had committed multiple violations of the conditions of his probation. At a hearing, Appellant pleaded “true” to most of the allegations, and the trial court found that Appellant had violated the conditions of his probation. Following the hearing, the trial court entered orders that modified the earlier disposition, placed Appellant in the custody of the Stephens County Juvenile Court, extended Appellant’s probation for one year, and placed Appellant at a placement facility in Garza County. We dismiss the appeal.

Appellant’s court-appointed counsel has filed a motion to withdraw. The motion is supported by a brief in which counsel professionally and conscientiously examines the record and applicable law and states that he has concluded that the appeal is frivolous. Counsel has provided Appellant and his father with a copy of the motion to withdraw, the brief, and a motion for pro se access to the appellate record, and counsel has advised Appellant and his father of Appellant’s right to review the record and file a response to counsel’s brief. A response has not been filed.¹ Court-appointed counsel has complied with the requirements of *Anders v. California*, 386 U.S. 738 (1967); *Kelly v. State*, 436 S.W.3d 313 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008); *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978); *Currie v. State*, 516 S.W.2d 684 (Tex. Crim. App. 1974); *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969); and *Eaden v. State*, 161 S.W.3d 173 (Tex. App.—Eastland 2005, no pet.).² Following the procedures outlined in *Anders* and *Schulman*, we have independently reviewed the record, and

¹By letter, this court granted Appellant thirty days in which to exercise his right to file a response to counsel’s brief.

²The Texas Supreme Court has held that *Anders* procedures apply in juvenile appeals. *In re D.A.S.*, 973 S.W.2d 296 (Tex. 1998).

we agree that the appeal is without merit and should be dismissed. *Schulman*, 252 S.W.3d at 409.

We direct counsel to notify Appellant of the disposition of this appeal and the availability of discretionary review in the Texas Supreme Court. Counsel is directed to send Appellant a copy of the opinion and judgment within five days after the opinion is handed down, along with notification of his right to file a pro se petition for review under TEX. R. APP. P. 53. Likewise, this court advises Appellant that he may file a petition for review pursuant to TEX. R. APP. P. 53.

The motion to withdraw is granted, and the appeal is dismissed.

PER CURIAM

February 19, 2015

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.