

Affirmed as Modified and Opinion Filed April 19, 2017



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-15-01570-CR

**RANDOLPH GLENN, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 194th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F14-76290-M**

MEMORANDUM OPINION

Before Justices Francis, Brown, and Schenck
Opinion by Justice Francis

Randolph Glenn waived a jury, pleaded nolo contendere to the offense of murder, and pleaded true to one enhancement paragraph. After finding appellant guilty and the enhancement paragraph true, the trial court sentenced appellant to imprisonment for thirty-five years. Although the trial court's judgment in the clerk's record incorrectly reflects a forty-year prison sentence, a judgment nunc pro tunc was signed by the trial court and filed in this Court on January 6, 2016, correcting the judgment to accurately reflect the thirty-five year sentence.

On appeal, appellant's attorney filed a brief in which he concludes the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). The brief presents a professional evaluation of the record showing why, in effect, there are no arguable grounds to advance. See *High v. State*, 573 S.W.2d 807, 811–12 (Tex.

Crim. App. [Panel Op.] 1978). Counsel delivered a copy of the brief to appellant. We advised appellant of his right to file a pro se response, but he did not file a pro se response. *See Kelly v. State*, 436 S.W.3d 313, 319–21 (Tex. Crim. App. 2014) (identifying duties of appellate courts and counsel in *Anders* cases).

We have reviewed the record and counsel’s brief. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005) (explaining appellate court’s duty in *Anders* cases). We agree the appeal is frivolous and without merit. We find nothing in the record that might arguably support the appeal.

We affirm the trial court’s judgment.

/Molly Francis/

MOLLY FRANCIS
JUSTICE

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TEX. R. APP. P. 47
151570F.U05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

RANDOLPH GLENN, Appellant

No. 05-15-01570-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 194th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F14-76290-M.

Opinion delivered by Justice Francis.

Justices Brown and Schenck participating.

Based on the Court's opinion of this date, the judgment of the trial court is **MODIFIED** as follows:

The section entitled "Punishment and Place of Confinement" is modified to show "35 Years Institutional Division, TDCJ."

As modified, we **AFFIRM** the trial court's judgment.

Judgment entered April 19, 2017.