

AFFIRMED and Opinion Filed October 8, 2019



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

No. 05-18-01106-CR

**GERARDO ISRAEL STRAUSS, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 204th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F-1733722-Q**

MEMORANDUM OPINION

Before Justices Burns, Whitehill, and Schenck
Opinion by Justice Whitehill

Appellant pled not guilty to aggravated sexual assault of a child, but after a jury trial began, changed his plea to guilty. After a sentencing hearing, the trial court sentenced appellant to sixty years imprisonment.

Appellant's 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 concludes that this appeal is frivolous and without merit. Counsel has provided appellant with a copy of the brief and the motion to withdraw. 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, 812 (Tex. Crim. App. [Panel Op.] 1978) (determining whether brief meets requirements of

Anders). 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) (noting appellant has right to file pro se response to *Anders* brief filed by counsel).

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 therefore grant counsel’s motion to withdraw and affirm the trial court’s judgment.

/Bill Whitehill/

BILL WHITEHILL
JUSTICE

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TEX. R. APP. P. 47
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

GERARDO ISRAEL STRAUSS, Appellant

No. 05-18-01106-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 204th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F-1733722-Q.

Opinion delivered by Justice Whitehill.

Justices Burns and Schenck participating.

Based on the Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

Judgment entered October 8, 2019