

Affirm and Opinion Filed October 7, 2019.



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

**No. 05-18-01450-CR
No. 05-18-01451-CR**

**CHRISTOPHER DEANDRE NICHOLSON, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 380th Judicial District Court
Collin County, Texas
Trial Court Cause No. 380-82289-2014
Trial Court Cause No. 380-81461-2016**

MEMORANDUM OPINION

Before Justices Bridges, Molberg, and Partida-Kipness
Opinion by Justice Molberg

Christopher Deandre Nicholson appeals the trial court's judgment revoking community supervision on November 7, 2018 in trial court Cause No. 380-82289-2014 and the trial court's judgments adjudicating guilt on November 7, 2018 in trial court Cause No. 380-81461-2016. The attorney appointed to represent Nicholson in his appeals in this Court's Cause Nos. 05-18-01450-CR and 05-18-01451-CR filed a motion to withdraw from the representation, supported by an *Anders* brief. *See Anders v. California*, 386 U.S. 738, 744–45 (1967). In support of her motion to withdraw, counsel's *Anders* brief asserted that she carefully reviewed the records in both cases¹

¹ Counsel's *Anders* brief asserted she reviewed the State's motions to revoke community supervision and the State's petitions to enter a final adjudication of Nicholson's guilt. The *Anders* brief further asserted counsel reviewed all designated records and documents in trial court Cause No. 380-82289-2014, including but not limited to: Original

and, in her professional opinion, the records reflect no reversible error upon which an appeal can be predicated. *Id.* at 744; *In re Schulman*, 252 S.W.3d 403, 406 (Tex. Crim. App. 2008).

In the *Anders* brief, counsel discussed why, under the controlling authorities, there are no reversible errors in the trial court's judgments. Counsel certified that she sent a copy of the *Anders* brief and her motion to withdraw to Nicholson by certified mail, accompanied by a letter informing Nicholson of his right to examine the record for the purpose of filing a pro se brief. By letter, this Court also advised Nicholson of his right to review the appellate record and file a pro se response to counsel's *Anders* brief. Nicholson did not file a pro se response. The State did not file a brief.

ANALYSIS

As the reviewing court, we must conduct an independent evaluation of the record to determine whether counsel is correct in concluding that an appeal is frivolous. *See Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). After reviewing the appellate record and counsel's brief, we agree with Nicholson's counsel that there is no reversible error. We therefore conclude there are no plausible grounds to support the appeal.

Plea Agreement; Terms and Conditions of Community Supervision; Notice of Violation, 5/18/15, 10/5/17; Amended Conditions of Supervision: 5/27/15, 6/26/15, 10/6/17; State's Motion to Revoke Community Supervision, dated 9/1/15, 12/7/17; State's Amended Motion to Revoke Community Supervision, dated 3/24/16, 5/10/18; Order Continuing Defendant on Adjudicated Community Supervision ; with SAFPF; SAFPF Progress and Conduct Report, filed on 1/18/17, 3/30/17, 6/19/17, 7/19/17, 12/7/17; Defendant's Plea of True and Stipulation of Evidence Open Plea on 10/5/16, 11/7/18; Judgement Revoking Community Supervision, dated 11/27/18; Notice of Appeal; and Transcript of the above-listed proceedings. With respect to trial court Cause No. 380-81461-2016, the *Anders* brief asserted counsel reviewed all designated records and documents in trial court Cause No. 380-82289-2014, including but not limited to: Original Plea; Order of Deferred Adjudication – Count I and Count II, 10/5/16; Terms and Conditions of Community Supervision imposed; State's Petition to Enter a Final Adjudication of Defendant's Guilt, 12/7/17; First Amended State's Petition to Enter A Final Adjudication of Defendant's Guilt, 5/10/18; Defendant's Plea of True and Stipulation of Evidence Open Plea; Judgment Adjudicating Guilt; Notice of Appeal; and Transcript of the above-listed proceedings.

Accordingly, we affirm the trial court's judgments and we grant counsel's motion to withdraw. *See* TEX. R. APP. P. 43.2(a).

/Ken Molberg//
KEN MOLBERG
JUSTICE

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

JUDGMENT

CHRISTOPHER DEANDRE
NICHOLSON, Appellant

No. 05-18-01450-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 380th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 380-82289-2014.
Opinion delivered by Justice Molberg.
Justices Bridges and Partida-Kipness
participating.

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

Judgment entered this 7th day of October, 2019.



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

JUDGMENT

CHRISTOPHER DEANDRE
NICHOLSON, Appellant

No. 05-18-01451-CR V.

THE STATE OF TEXAS, Appellee

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

Judgment entered this 7th day of October 2019.