

*Court Of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-09-00741-CV

In the **MATTER OF D.M.R.**

From the 289th Judicial District Court, Bexar County, Texas  
Trial Court No. 2008-JUV-01866  
Honorable Carmen Kelsey, Judge Presiding<sup>1</sup>

Opinion by: Marialyn Barnard, Justice

Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Marialyn Barnard, Justice

Delivered and Filed: July 14, 2010

**MOTION TO WITHDRAW GRANTED; AFFIRMED**

D.M.R., a juvenile, pleaded true to one alleged probation violation in response to the State's second motion to modify disposition, and the State abandoned two other alleged violations. Following a disposition hearing, the trial court placed D.M.R. in the custody of the Chief Juvenile Probation Officer of Bexar County for the purpose of placement outside the home. D.M.R. filed a timely notice of appeal.

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<sup>1</sup> The relevant orders in this case were first signed by the Honorable Irma D. Hernandez, Associate Judge of the 289th Judicial District Court, and then countersigned by the Honorable Carmen Kelsey, Judge of the 189th Judicial District Court.

D.M.R.'s court-appointed appellate attorney filed a motion to withdraw and a brief in which she asserts there are no meritorious issues to raise on appeal. Counsel's brief meets the requirements of *Anders v. California*, 386 U.S. 738, (1967), *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978), and *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969). See *In re D.A.S.*, 973 S.W.2d 296, 297 (Tex. 1998) (*Anders* procedures apply to appeals from juvenile delinquency adjudications); *In re A.L.H.*, 974 S.W.2d 359, 360 (Tex. App.—San Antonio 1998, no pet.) (same). Counsel states she has provided the juvenile and her guardian copies of the brief and motion to withdraw and informed them of the juvenile's right to review the record and file her own brief. See *A.L.H.*, 974 S.W.2d at 360-61; *Nichols v. State*, 954 S.W.2d 83, 85-86 (Tex. App.—San Antonio, 1997, no pet.); *Bruns v. State*, 924 S.W.2d 176, 177 n.1 (Tex. App.—San Antonio 1996, no pet.). No pro se brief has been filed.

After reviewing the record and counsel's brief, we find no reversible error and agree with counsel that the appeal is wholly frivolous. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). We therefore grant the motion to withdraw filed by D.M.R.'s appellate counsel and affirm the trial court's judgment. See *id.*; *Nichols v. State*, 954 S.W.2d 83, 86 (Tex. App.—San Antonio 1997, no pet.); *Bruns v. State*, 924 S.W.2d 176, 177 n.1 (Tex. App.—San Antonio 1996, no pet.).

Marialyn Barnard, Justice