



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00056-CR

Amanda **MEDINA**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 187th Judicial District Court, Bexar County, Texas
Trial Court No. 2017CR9848
Honorable Stephanie R. Boyd, Judge Presiding

Opinion by: Luz Elena D. Chapa, Justice

Sitting: Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: December 11, 2019

MOTION TO WITHDRAW GRANTED; AFFIRMED

Amanda Medina pled guilty to a charge of driving while intoxicated with a child under fifteen as part of a plea agreement with the State. Pursuant to the agreement, the trial court found Medina guilty, fined her \$1,500, and sentenced her to three years in prison. The court suspended the sentence of confinement and placed Medina on community supervision for a period of three years. The State later filed a motion to revoke Medina's community supervision, alleging she violated various conditions of her community supervision. Medina pled true to the allegations she violated the conditions by illegally using a controlled substance, namely marijuana, and by failing

to report to the supervision officer in person in the month of December 2018. After a hearing, the trial court found the allegations true, revoked Medina's community supervision, and imposed the original sentence. Medina timely appealed.

Medina's court-appointed appellate attorney filed a motion to withdraw and a brief in which he concludes this appeal is frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967), *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. [Panel Op.] 1978), and *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969). Counsel certified he sent copies of the brief and motion to withdraw to Medina, informed her of her rights in compliance with the requirements of *Kelly v. State*, 436 S.W.3d 313 (2014), and provided her a form to request access to the appellate record. This court notified Medina of the deadline for her to file a pro se brief. Medina did not request access to the appellate record and did not file a pro se brief.

We have thoroughly reviewed the record and counsel's brief, and we find no arguable grounds for appeal exist and 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 Medina's 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.).¹

Luz Elena D. Chapa, Justice

DO NOT PUBLISH

¹ No substitute counsel will be appointed. Should Medina wish to seek further review of this case by the Texas Court of Criminal Appeals, she must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days after either this opinion is rendered or the last timely motion for rehearing or motion for en banc reconsideration is overruled by this court. *See Tex. R. App. P. 68.2.* Any petition for discretionary review must be filed with the clerk of the Court of Criminal Appeals. *See id. R. 68.3.* Any petition for discretionary review must comply with the requirements of rule 68.4 of the Texas Rules of Appellate Procedure. *See id. R. 68.4.*