

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-08-00485-CR
NO. 09-08-00486-CR
NO. 09-08-00487-CR

MARCUS KEITH HARDIN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause Nos. 89682, 90477, and 90479

MEMORANDUM OPINION

Pursuant to plea bargain agreements, appellant Marcus Keith Hardin pled guilty to unauthorized use of a vehicle and two charges of burglary of a habitation. In each case, the trial court found the evidence was sufficient to find Hardin guilty, but deferred finding him guilty. In all three cases, the trial court placed Hardin on community supervision for five years and assessed a fine of \$500. The State subsequently filed a motion to revoke Hardin's unadjudicated community supervision in each case. Hardin pled "true" in each case to two violations of the terms of his community supervision. In each case, the trial court found that

Hardin violated the conditions of his community supervision and found him guilty. In the unauthorized use of a vehicle case, the trial court assessed punishment at two years of confinement in a state jail facility. In each of the burglary of a habitation cases, the trial court assessed punishment at twenty years of confinement. The trial court ordered that the sentences were to run concurrently.

Hardin's appellate counsel filed a brief in each case that presents counsel's professional evaluation and concludes the appeal is frivolous. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). On April 16, 2009, we granted an extension of time for appellant to file a *pro se* brief in each case. We received no response from the appellant. We reviewed the appellate records, and we agree with counsel's conclusion that no arguable issues support the appeals. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeals. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgments.¹

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on August 11, 2009
Opinion Delivered August 26, 2009
Do Not Publish
Before McKeithen, C.J., Gaultney and Horton, JJ.

¹Appellant may challenge our decision in these cases by filing a petition for discretionary review. *See* TEX. R. APP. P. 68.