

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-08-00492-CR
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TRAY ANDRE BEVERLY, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause Nos. 07-02268 and 08-02701

MEMORANDUM OPINION

Pursuant to plea bargain agreements, appellant Tray Andre Beverly pled guilty to debit card abuse and possession of a controlled substance. In each case, the trial court found the evidence sufficient to find Beverly guilty, but deferred further proceedings, placed Beverly on community supervision for three years, and assessed a fine of \$400. The State subsequently filed a motion to revoke Beverly’s unadjudicated community supervision in each case. In both cases, Beverly pled “true” to three violations of the conditions of his

community supervision. The trial court found that Beverly violated the conditions of his community supervision in both cases, found Beverly guilty of debit card abuse and possession of a controlled substance, and assessed punishment at two years of confinement in a state jail facility for each offense. The trial court ordered that the sentences would run concurrently.

Beverly's appellate counsel filed a brief that presents counsel's professional evaluation of the records and concludes the appeals are 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 June 18, 2009, we granted an extension of time for appellant to file *pro se* briefs. We received no response from 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.

STEVE McKEITHEN
Chief Justice

Submitted on October 15, 2009
Opinion Delivered October 28, 2009
Do Not Publish
Before McKeithen, C.J., Gaultney and Kreger, JJ.

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