

In The

Court of Appeals

Ninth District of Texas at Beaumont

NO. 09-09-00089-CR

RODRICK FRANCIS HARTFIELD, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 08-03945**

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Rodrick Francis Hartfield pled guilty to burglary of a building. The trial court found the evidence sufficient to find Hartfield guilty, but deferred further proceedings and placed Hartfield on community supervision for five years. The State subsequently filed a motion to revoke Hartfield's unadjudicated community supervision. Hartfield pled "true" to one violation of the conditions of his community supervision. The trial court found that Hartfield violated the conditions of his

community supervision, found Hartfield guilty of burglary of a building, and assessed punishment at two years of confinement in a state jail facility.

Hartfield's appellate counsel filed a brief that presents counsel's professional evaluation of the record 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 October 1, 2009, we granted an extension of time for appellant to file a *pro se* brief. We received no response from appellant. We reviewed the appellate record, and we agree with counsel's conclusion that no arguable issues support an appeal. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.¹

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on February 9, 2010
Opinion Delivered February 24, 2010
Do Not Publish

Before McKeithen, C.J., Gaultney and Kreger, JJ.

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