

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-09-00441-CR

CHARLSE ZARIEA SPENCER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 75th District Court
Liberty County, Texas
Trial Cause No. CR27612**

MEMORANDUM OPINION

Charlse Zariaea Spencer appeals her conviction for capital murder. TEX. PEN. CODE ANN. § 19.03(a)(8) (Vernon Supp. 2009)(intentional or knowing murder of an individual under six years of age). The State did not seek the death penalty and the trial court sentenced Spencer to a term of life imprisonment without parole. TEX. PEN. CODE ANN. § 12.31 (Vernon Supp. 2009); TEX. CODE CRIM. PROC. ANN. art. 37.071, § 1 (Vernon Supp. 2009).

On appeal, Spencer's 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 April 1, 2010, we granted an extension of time for the 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. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005); *cf. 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 August 5, 2010
Opinion Delivered August 18, 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Do Not Publish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.