

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00153-CR

EDMUND WAYNE LEACH, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 284th District Court
Montgomery County, Texas
Trial Cause No. 10-02-01006 CR**

MEMORANDUM OPINION

Appellant Edmund Wayne Leach appeals his conviction on his open plea of guilty to aggravated assault, with a deadly weapon, of a family member. After accepting Leach's plea, the trial court sentenced Leach to fifteen years of confinement in the Texas Department of Criminal Justice Institutional Division.

Leach'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 March 3, 2011, 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.

AFFIRMED.

DAVID GAULTNEY
Justice

Submitted on June 21, 2011
Opinion Delivered June 29, 2011
Do Not Publish

Before Gaultney, Kreger, and Horton, JJ.