

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-10-00486-CR**

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**ISAIAH CAREY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court**  
**Jefferson County, Texas**  
**Trial Cause No. 94814**

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**MEMORANDUM OPINION**

Pursuant to a plea agreement, appellant Isaiah Carey pled guilty to aggravated assault. The trial court found the evidence sufficient to find Carey guilty, but deferred finding him guilty, placed Carey on community supervision for five years, and assessed a fine of \$1,000. The State subsequently filed a motion to revoke Carey's unadjudicated community supervision. Carey pled "true" to four violations of the terms of his community supervision. The trial court found that Carey violated the terms of the

community supervision order, found Carey guilty of aggravated assault, revoked Carey's community supervision, and imposed a sentence of five years of confinement.

Carey'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 31, 2011, we granted an extension of time for Carey to file a *pro se* brief. We received no response from Carey.

We have 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.<sup>1</sup>

AFFIRMED.

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CHARLES KREGER  
Justice

Submitted on July 11, 2011  
Opinion Delivered July 27, 2011  
Do not publish

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

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<sup>1</sup> Carey may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.