

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

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**NO. 09-10-00501-CR**

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**HAROLD LEE THOMAS, JR., Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court**  
**Jefferson County, Texas**  
**Trial Cause No. 07-00507**

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**MEMORANDUM OPINION**

A jury convicted Harold Lee Thomas, Jr. of aggravated robbery and sentenced Thomas to sixty years in prison. The trial court ordered Thomas's sentence to run consecutively to a prior thirteen-year sentence for burglary of a habitation. Thomas appealed.

Thomas'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). Thomas filed a *pro se* brief in response. The Court of Criminal

Appeals has held that we need not address the merits of issues raised in *Anders* briefs or *pro se* responses. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). Rather, an appellate court may determine either: (1) “that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error”; or (2) “that arguable grounds for appeal exist and remand the cause to the trial court so that new counsel may be appointed to brief the issues.” *Id.*

We have determined that this appeal is wholly frivolous. We have independently examined the clerk’s record and the reporter’s record, and we agree that no arguable issues support an appeal. *See id.* 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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STEVE McKEITHEN  
Chief Justice

Submitted on July 18, 2011  
Opinion Delivered July 27, 2011  
Do Not Publish

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

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