

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00079-CR
NO. 09-11-00080-CR

JOSHUA SHAMPAUL LEWIS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause Nos. 09-07056 and 09-07618

MEMORANDUM OPINION

After entering plea-bargain agreements in two cases,¹ Joshua Shampaul Lewis pled guilty to aggravated assault and possession of a controlled substance. *See* Tex. Penal Code Ann. § 22.02 (West 2011); Tex. Health & Safety Code Ann. § 481.115 (West 2010). In the aggravated assault case, the trial court found Lewis guilty, deferred adjudication of guilt, placed him on unadjudicated community supervision for five years,

¹Lewis's cases were appealed separately. As both cases present an identical reporter's record and similar briefs, we address them in one opinion.

and assessed a \$300 fine. In the possession of a controlled substance case, the trial court found Lewis guilty, assessed his punishment at five years in prison, suspended the imposition of his sentence, placed Lewis on community supervision for five years, and assessed a \$300 fine. The State subsequently filed motions to revoke the orders placing Lewis on community supervision.

The motions to revoke allege that Lewis violated the terms of the trial court's community supervision orders. Lewis pled "true" to having violated the terms of the respective orders. In the possession of a controlled substance case, the trial court accepted Lewis's plea, found the alleged violations to be true, revoked Lewis's community supervision, and sentenced Lewis to five years in prison. In the aggravated assault case, the trial court accepted Lewis's plea, found the alleged violations to be true, revoked Lewis's unadjudicated community supervision, found Lewis guilty of aggravated assault, and sentenced Lewis to twenty years in prison. The trial court ordered that Lewis's sentences run concurrently. Lewis filed appeals in both cases.

Lewis's appellate counsel filed briefs presenting counsel's professional evaluation of the record, and the briefs filed on Lewis's behalf conclude that his appeals are 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 17, 2011, we granted an extension of time for Lewis to file a *pro se* brief. Lewis did not file a response.

Having reviewed the appellate records, we agree with counsel's conclusions that no arguable issues support an appeal. Therefore, we find it unnecessary to order appointment of new counsel to re-brief Lewis's appeals. *See 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 judgments.²

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on July 11, 2011
Opinion Delivered July 27, 2011
Do Not Publish

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

²Lewis may challenge our decision in these cases by filing a petition for discretionary review. *See* Tex. R. App. P. 68.