

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00127-CR

THADEUS JAMAL MITCHELL, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause No. 08-04776

MEMORANDUM OPINION

Appellant Thadeus Jamal Mitchell¹ was indicted for the offense of aggravated assault with a deadly weapon. He entered a plea of not guilty to the charge. A jury found appellant guilty of aggravated assault and assessed punishment at five years confinement, but recommended that the punishment be probated. The trial court sentenced appellant to five years confinement, probated over ten years and assessed a fine of \$1,000. The State subsequently filed a motion to revoke Mitchell's community supervision. Mitchell pled

¹ Thadeus Jamal Mitchell is also known as Thaddius Jamal Mitchell, Thadeaus Jamal Mitchell, and Thaddeus Mitchell.

“true” to four violations of the terms of his community supervision. The trial court found that Mitchell violated the terms of the community supervision order, revoked Mitchell’s community supervision, and imposed a sentence of five years of confinement.

Mitchell’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 April 7, 2011, we granted an extension of time for appellant to file a *pro se* brief. We received no response from the appellant.

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.²

AFFIRMED.

CHARLES KREGER
Justice

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Do not publish

Before Gaultney, Kreger, and Horton, JJ.

² Appellant may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.