

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

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**NO. 09-11-00145-CR**

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**GABRIEL THOMAS, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court**  
**Jefferson County, Texas**  
**Trial Cause No. 07-00086**

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**MEMORANDUM OPINION**

Pursuant to a plea bargain agreement, Gabriel Thomas pleaded guilty to aggravated assault. The trial court found the evidence sufficient to find Thomas guilty, but deferred further proceedings, placed Thomas on community supervision for six years, and assessed a fine of \$1,000. The State subsequently filed a motion to revoke Thomas's unadjudicated community supervision. Thomas pleaded "true" to violating one of the conditions of his community supervision. The trial court found that Thomas violated a condition of his community supervision, revoked Thomas's unadjudicated community

supervision, found Thomas guilty of aggravated assault with a deadly weapon, and sentenced Thomas to fifteen years in prison.

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). On April 21, 2011, we granted an extension of time for Thomas to file a *pro se* brief. We received no response from Thomas. 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.<sup>1</sup>

AFFIRMED.

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STEVE McKEITHEN  
Chief Justice

Submitted on August 2, 2011  
Opinion Delivered August 10, 2011  
Do Not Publish

Before McKeithen, C.J., Gaultney and Kreger, 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.