

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00257-CR

**STACEY ANGELA WALDON a/k/a STACEY ANGELA WALDEN
a/k/a STACEY WALDEN, Appellant**

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 09-05570**

MEMORANDUM OPINION

In carrying out a plea bargain agreement, Stacey Angela Waldon a/k/a Stacey Angela Walden a/k/a Stacey Walden pled guilty to securing the execution of a document by deception. *See* Tex. Penal Code Ann. § 32.46 (West 2011). The trial court found the evidence sufficient to find Waldon guilty, deferred further proceedings, placed Waldon on community supervision for two years, and ordered that she pay \$3,892 in restitution. Subsequently, the State filed a motion to revoke requesting that the trial court revoke its decision placing Waldon on unadjudicated community supervision. Waldon pled “true”

to three of the allegations that she had violated the terms under which she had been placed on community supervision. During the revocation hearing, the trial court found that Waldon had violated the conditions under which the court had placed her on community supervision, found Waldon guilty on the charge that she had secured the execution of a document by deception, and assessed punishment at two years in a state jail facility.

Waldon'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, 813 (Tex. Crim. App. 1978). Waldon 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 *pro se* responses that are filed after the defendant's counsel has filed an *Anders* brief. *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.*

Having reviewed the clerk's record, the reporter's record, counsel's brief, and Waldon's *pro se* brief, we agree that Waldon's appeal is frivolous. *See id.* Therefore, we find it unnecessary to order appointment of new counsel to re-brief Waldon's appeal.

Compare Stafford v. State, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.¹

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on October 28, 2011
Opinion Delivered November 16, 2011
Do Not Publish

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

¹Waldon may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.