

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00309-CR

SUGAR RAY THOMAS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 95284

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Sugar Ray Thomas pleaded guilty to aggravated robbery. The trial court found the evidence sufficient to find Thomas guilty, but deferred further proceedings, placed Thomas on community supervision for ten years, and assessed a fine of \$2500. The State subsequently filed a motion to revoke Thomas's unadjudicated community supervision. Thomas pleaded "true" to several violations of the conditions of his community supervision. The trial court found that Thomas violated the conditions of his community supervision, found Thomas guilty of aggravated robbery, and assessed punishment at sixty-five years of confinement.

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 August 4, 2011, we granted an extension of time for Thomas to file a *pro se* brief. We received no response from Thomas.

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 note that the trial court's judgment incorrectly recites that the statute for the offense is "22.03(a)(2) PC[.]" This Court has the authority to reform the trial court's judgment to correct a clerical error. *Bigley v. State*, 865 S.W.2d 26, 27 (Tex. Crim. App. 1993). The statute regarding the offense of aggravated robbery is section 29.03 of the Texas Penal Code. Tex. Penal Code Ann. § 29.03 (West 2011). Therefore, we delete "22.03(a)(2) PC" from the section of the judgment entitled "Statute for Offense" and substitute "29.03(a)(2) Penal Code" in its place. We affirm the trial court's judgment as reformed.

AFFIRMED AS REFORMED.

STEVE McKEITHEN
Chief Justice

Submitted on December 7, 2011
Opinion Delivered December 21, 2011
Do Not Publish
Before McKeithen, C.J., Kreger and Horton, JJ.