

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00372-CR

TIMOTHY DWANE WILSON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 98817

MEMORANDUM OPINION

Pursuant to a plea agreement, appellant Timothy Dwane Wilson pled guilty to the offense of burglary of a habitation. The trial court found the evidence sufficient to find Wilson guilty, but deferred finding him guilty. The trial court placed Wilson on community supervision for five years and assessed a fine of \$1,000. The State subsequently filed a motion to revoke Wilson's unadjudicated community supervision. Wilson pled "true" to two violations of the terms of his community supervision. The trial

court found that Wilson violated the terms of the community supervision order, revoked Wilson's community supervision, and imposed a sentence of two years of confinement.

Wilson'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 September 8, 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.¹

AFFIRMED.

CHARLES KREGER
Justice

Submitted on December 7, 2011
Opinion Delivered December 21, 2011
Do not publish

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

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