

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00096-CR

JOSHUA TREMAINE SHAW, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 163rd District Court
Orange County, Texas
Trial Cause No. B150503-R

MEMORANDUM OPINION

Joshua Tremaine Shaw was indicted for aggravated robbery, a first degree felony. *See* Tex. Penal Code § 29.03 (West 2011). On February 19, 2016, Shaw waived his right to a jury trial and pleaded guilty to the offense as charged. On March 23, 2016, the matter proceeded to the trial court for sentencing. After hearing evidence, the trial court accepted Shaw's plea of guilty and assessed his punishment at thirty-three years of confinement in the Texas Department of Criminal Justice

Institutional Division. On the same day, the trial court certified Shaw's right to appeal and appointed Shaw appellate counsel. Shaw timely filed a notice of appeal.

Shaw's appellate counsel subsequently 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 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. [Panel Op.] 1978). Upon receipt of the *Anders* brief, we granted an extension of time for Shaw to file a *pro se* brief, but we received no additional brief from him.

This court has independently examined the entire appellate record in this matter, and we agree that no arguable issues support an appeal. We have determined that any appeal would be wholly frivolous. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Cf. 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

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

Submitted on December 29, 2016
Opinion Delivered June 21, 2017
Do Not Publish

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