

NO. 07-09-0024-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
SEPTEMBER 1, 2009

WILLIE MCDADE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 331ST DISTRICT COURT OF TRAVIS COUNTY;
NO. D-1-DC-08-904103; HON. FRED MOORE, PRESIDING

Memorandum Opinion

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

After a jury trial, appellant Willie McDade (appellant) was convicted of the offense of aggravated assault with serious bodily injury. Punishment was assessed by the trial court at thirty years in the Texas Department of Criminal Justice Institutional Division. Appellant timely filed his notice of appeal.

Appellant's appointed counsel has filed a motion to withdraw, together with an *Anders*¹ brief, wherein she certifies that, after diligently searching the record, she has concluded that appellant's appeal is without merit. Along with her brief, she has filed a copy of a letter sent to appellant informing him of counsel's belief that there was no reversible error and of appellant's right to appeal *pro se*. This court notified appellant of his right to file his own brief or response. Appellant filed a response urging grounds he believed warranted reversal.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed the evidence at trial and reviewed the objections lodged in same. Upon her final analysis, counsel determined no reversible error existed. Thereafter, we conducted our own review of the record to assess the accuracy of appellate counsel's conclusions and to uncover any arguable error, per *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991). So too did we consider appellant's response and the contentions raised therein. Upon doing these things, we also found no arguable error.

Accordingly, the motion to withdraw is granted and the judgment is affirmed.²

Brian Quinn
Chief Justice

Do not publish.

¹See *Anders v. California*, 386 U.S. 738, 744-45, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967).

²Counsel shall, within five days after this opinion is handed down, send his client a copy of the opinion and judgment, along with notification of appellant's right to file a *pro se* petition for discretionary review. See TEX. R. APP. P. 48.4.