



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-08-00131-CR

MICHAEL CHARLES FULLER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 6th Judicial District Court
Lamar County, Texas
Trial Court No. 18771

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Carter

MEMORANDUM OPINION

Michael Charles Fuller appeals from his convictions by a jury of indecency with a child by contact (count one), indecency with a child by exposure (count two), and sexual assault of a child (count three). *See* TEX. PENAL CODE ANN. § 21.11 (Vernon 2003), § 22.011 (Vernon Supp. 2008). The jury assessed his punishment at fifteen years' imprisonment on count one, five years' imprisonment on count two (to run consecutive to the sentence in count one), and fifteen years' imprisonment on count three (to run concurrently with the sentences in counts one and two). Fuller was represented by appointed counsel at trial and on appeal. Fuller's attorney has filed a brief in which he concludes that the appeal is frivolous and without merit, after a review of the record and the related law.

Counsel states that he has studied the record and finds no error preserved for appeal that could be successfully argued. The brief contains a professional evaluation of the record and advances nine arguable grounds for review. This meets the requirements of *Anders v. California*, 386 U.S. 738 (1967); *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991); and *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. [Panel Op.] 1978).

Counsel mailed a copy of the brief to Fuller on January 15, 2009, informing Fuller of his right to examine the entire appellate record and to file a pro se response. Counsel simultaneously filed a motion with this Court seeking to withdraw as counsel in this appeal. Fuller filed his response on May 13, 2009.

We have determined that this appeal is wholly frivolous. We have independently reviewed the clerk's record and the reporter's record, and we agree that no arguable issues support an appeal. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

We affirm the judgment of the trial court.¹

Jack Carter
Justice

Date Submitted: June 3, 2009
Date Decided: June 4, 2009

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¹Since we agree this case presents no reversible error, we also, in accordance with *Anders*, grant counsel's request to withdraw from further representation of Fuller in this case. No substitute counsel will be appointed. Should Fuller wish to seek further review of this case by the Texas Court of Criminal Appeals, Fuller must either retain an attorney to file a petition for discretionary review or Fuller must file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from the date of either this opinion or the last timely motion for rehearing that was overruled by this Court. *See* TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed with this Court, after which it will be forwarded to the Texas Court of Criminal Appeals along with the rest of the filings in this case. *See* TEX. R. APP. P. 68.3. Any petition for discretionary review should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 68.4.