



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

No. 06-13-00224-CR

TREBORIA LYMYOUS-DEW WALLACE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 124th District Court
Gregg County, Texas
Trial Court No. 42271-B

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

MEMORANDUM OPINION

Treboria Lymyous-Dew Wallace appeals from his conviction, on an open plea of guilty, of aggravated assault with a deadly weapon. The trial was held to the court, and he was sentenced to six years' imprisonment. Wallace's attorney on appeal filed a brief on April 30, 2014, which states that he has reviewed the record. Counsel has provided a detailed summary of the evidence elicited during the course of the proceeding, briefly explaining the procedural history and stating that he has found no meritorious issues to raise on appeal. Although Wallace was informed of his right to file a pro se response, he has not done so.

Counsel has provided a professional evaluation of the record demonstrating why, in effect, there are no arguable grounds to be advanced. This meets the requirements of *Anders v. California*, 386 U.S. 738, 743–44 (1967); *Stafford v. State*, 813 S.W.2d 503, 509–10 (Tex. Crim. App. 1981); and *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978).

As also required by *Anders*, counsel has filed a motion with this Court seeking to withdraw as counsel in this appeal. Counsel mailed a copy of his brief to Wallace on April 27, 2014, along with a copy of his motion to withdraw and a letter informing Wallace of his right to review the record and file a pro se response.

We have determined that this appeal is wholly frivolous. We have independently reviewed the appellate record and find no genuinely arguable issue. *See Halbert v. Michigan*, 545 U.S. 605, 623 (2005). We, therefore, agree with counsel's assessment that no arguable

issues support an appeal. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).¹

We affirm the judgment of the trial court.

Bailey C. Moseley
Justice

Date Submitted: June 30, 2014

Date Decided: July 1, 2014

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¹Since we agree this case presents no reversible error, we also, in accord with *Anders*, grant counsel’s request to withdraw from further representation of appellant in this case. *Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should appellant wish to seek further review of this case by the Texas Court of Criminal Appeals, appellant must either retain an attorney to file a petition for discretionary review or appellant must file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from either the date of this opinion or the date on which the last timely motion for rehearing or for en banc reconsideration was overruled by this Court. *See* TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed with the clerk of the Texas Court of Criminal Appeals. *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.