



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

No. 06-14-00045-CR

DEWAYNE NEAL WILLIAMS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 5th District Court
Cass County, Texas
Trial Court No. 2013F00410

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

MEMORANDUM OPINION

Dewayne Neal Williams appeals his conviction for assault (family violence) by strangulation, enhanced by one prior felony conviction. *See* TEX. PENAL CODE ANN. §§ 12.42, 22.01(b)(2)(B) (West Supp. 2013). Williams was sentenced to sixteen years' imprisonment, plus thirty days' confinement for contempt, to run concurrently. Williams was represented by different appointed counsel at trial and on appeal.

Williams' attorney on appeal has filed a brief which discusses the record and reviews the trial court proceedings in detail. The brief sets out the procedural history and summarizes the evidence elicited during the course of the proceedings. Meeting the requirements of *Anders*, counsel has provided a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *Anders v. California*, 386 U.S. 738, 743–44 (1967); *In re Schulman*, 252 S.W.3d 403, 406 (Tex. Crim. App. 2008) (orig. proceeding); *Stafford v. State*, 813 S.W.2d 503, 509–10 (Tex. Crim. App. 1981); *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978).

Counsel mailed a copy of the brief to Williams on May 6, 2014, informing Williams of his rights to review the record and to file a pro se response. Counsel also filed a motion with this Court seeking to withdraw as counsel in this appeal and provided Williams with a form to request pro se access to the appellate record. *See Kelly v. State*, No. PD-0702-13, 2014 Tex. App. LEXIS 911, at **14–15 (Tex. Crim. App. June 25, 2014). Williams has neither filed nor requested an extension of time in which to file a pro se response. Williams has not requested pro se access to the appellate record.

When counsel files an *Anders* brief, we are to determine whether the appeal is without merit. We have determined that this appeal is wholly frivolous. We have independently reviewed the appellate 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). In such a case, the appeal must be either dismissed or affirmed. *See Anders*, 386 U.S. 738.

We affirm the judgment of the trial court.¹

Jack Carter
Justice

Date Submitted: July 15, 2014
Date Decided: August 20, 2014

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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 Williams in this case. *Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should Williams wish to seek further review of this case by the Texas Court of Criminal Appeals, he must either retain an attorney to file a petition for discretionary review or he 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.