



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

No. 06-16-00068-CR

JOHN JEROME HOLMES, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 77th District Court
Limestone County, Texas
Trial Court No. 13619-A

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

MEMORANDUM OPINION

After having entered a guilty plea to the offense and pleading “true” to one offense used in enhancement, John Jerome Holmes appeals¹ his conviction for aggravated robbery.² Holmes’ appellate counsel has filed a brief which discusses the record and reviews the proceedings in detail. After counsel’s professional evaluation of the record, he has concluded 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. 1991); *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978). After conducting our own review of the record, we find there are no meritorious grounds for appeal, and we affirm the trial court’s judgment and sentence.

Counsel mailed a copy of the brief to Holmes on or about December 11, 2016, informing Holmes of his right to review the record and to file a pro se response.³ Counsel has also filed a motion with this Court seeking to withdraw as counsel in this appeal. Holmes did not file a pro se response.

We have determined that this appeal is wholly frivolous. We have independently reviewed the entire appellate record and find no genuinely arguable issue. *See Halbert v. Michigan*, 545

¹Originally appealed to the Tenth Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV’T CODE ANN. § 73.001 (West 2013). We are unaware of any conflict between precedent of the Tenth Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.

²*See* TEX. PENAL CODE ANN. § 29.03 (West 2011).

³It appears that counsel failed to advise Holmes of his right to seek pro se discretionary review of this Court’s ruling. Therefore, counsel did not fully comply with the Texas Court of Criminal Appeals’ requirements listed in *Kelly v. State*, 436 S.W.3d 313, 319–21 (Tex. Crim. App. 2014). By furnishing him with a copy of this opinion, this Court has advised Holmes of his right to seek discretionary review by the Texas Court of Criminal Appeals.

U.S. 605, 623 (2005). We, therefore, agree with counsel’s assessment that no arguable issue supports 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.⁴

Bailey C. Moseley
Justice

Date Submitted: February 27, 2017
Date Decided: March 17, 2017

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⁴Since we agree that 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. *See Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should appellant desire to seek further review of this case by the Texas Court of Criminal Appeals, she must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review (1) must be filed within thirty days from either the date of this opinion or the date on which the last timely motion for rehearing was overruled by this Court, *see* TEX. R. APP. P. 68.2, (2) must be filed with the clerk of the Texas Court of Criminal Appeals, *see* TEX. R. APP. P. 68.3, and (3) should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure, *see* TEX. R. APP. P. 68.4.