

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-12-00331-CR**

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**Eric Danile Thompson aka Eric Danilo Thompson, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF BELL COUNTY, 264TH JUDICIAL DISTRICT  
NO. 68023, THE HONORABLE MARTHA J. TRUDO, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Eric Danile Thompson aka Eric Danilo Thompson pled guilty and judicially confessed to the fraudulent possession of more than fifty items of identifying information, a first degree felony. *See* Tex. Penal Code §§ 32.51(a), (b)(1), (c)(4). In addition, Thompson pled true to an enhancement allegation alleging a prior conviction for third-degree debit card abuse.<sup>1</sup> *See id.* § 32.31. After hearing evidence, the trial court assessed punishment, enhanced pursuant to the repeat offender punishment provision of the Penal Code, at confinement for 35 years in the Institutional Division of the Texas Department of Criminal Justice. *See id.* § 12.42(c)(1).

Thompson's court-appointed attorney has filed a motion to withdraw supported by a brief concluding that the appeal is frivolous and without merit. The brief meets the requirements

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<sup>1</sup> The record reflects that the prior conviction was a third degree felony because of the date of Thompson's conviction.

of *Anders v. California* by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *See Anders v. California*, 386 U.S. 738, 744 (1967); *Garner v. State*, 300 S.W.3d 763, 766 (Tex. Crim. App. 2009); *see also Penson v. Ohio*, 488 U.S. 75 (1988).

Counsel provided a copy of the brief and the record to Thompson and advised him of his right to examine the appellate record and to file a pro se brief. *See Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. No pro se brief or other written response has been filed.

We have reviewed the record, including appellate counsel's brief and the plea proceedings, and find no reversible error. *See Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766; *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005). We agree with counsel that the record presents no arguably meritorious grounds for review and the appeal is frivolous. Counsel's motion to withdraw is granted. The judgment of conviction is affirmed.

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Melissa Goodwin, Justice

Before Chief Justice Jones, Justices Goodwin and Field

Affirmed

Filed: June 19, 2013

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