

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-17-00560-CR

Ryan Taylor Galindo, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF CONCHO COUNTY, 119TH JUDICIAL DISTRICT
NO. DBU-15-01922, HONORABLE BEN WOODWARD, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Ryan Taylor Galindo was charged with burglary of a habitation, a second-degree felony. Tex. Penal Code § 30.02(c)(2). After a guilty plea, the trial court deferred adjudication and placed Galindo on community supervision for five years. Later, the State moved to revoke Galindo's probation and to adjudicate guilt. After a bench trial, the trial court found that Galindo had violated the terms of his community supervision and rendered a judgment of conviction for the underlying offense. The trial court assessed Galindo's punishment at five years in the Texas Department of Criminal Justice-Institutional Division, plus payment of a fine and restitution.

Appellant'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 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, 86–87 (1988).

Appellant’s counsel has represented to the Court that he has provided copies of the motion and brief to appellant; advised appellant of his right to examine the appellate record and file a pro se brief; and provided appellant with a form motion for pro se access to the appellate record along with the mailing address of this Court. *See Kelly v. Smith*, 436 S.W.3d 313, 319–21 (Tex. Crim. App. 2014); *see also Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. To date, the Court has not received a brief from appellant.

We have conducted an independent review of the record, including appellate counsel’s brief, 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.

Scott K. Field, Justice

Before Chief Justice Rose, Justices Goodwin and Field

Affirmed

Filed: June 29, 2018

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