TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-22-00023-CR

Guillermo Velasquez, Appellant

v.

The State of Texas, Appellee

FROM THE 207TH DISTRICT COURT OF COMAL COUNTY, NO. CR2020-852, THE HONORABLE JACK ROBISON, JUDGE PRESIDING

M E M O R A N D U M   O P I N I O N

A jury found Appellant Guillermo Velasquez guilty of two counts of aggravated assault with a deadly weapon and two counts of unauthorized use of a motor vehicle. *See* Tex. Penal Code §§ 22.02(a)(2), 31.07. The trial court assessed sentence at forty years in prison on each of the aggravated assault counts and twenty years in prison on each of the unauthorized use of a motor vehicle counts. *See id.* §§ 12.42(d), 12.425(b). He appeals.

Appellant's court-appointed attorney has filed a motion to withdraw as counsel along with 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* 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, 81-82 (1988). Appellant's counsel has certified to this Court that she sent copies of the motion and brief to appellant, advised appellant of his right to examine the appellate record

and file a pro se response, and provided a motion to assist appellant in obtaining the record. *See Kelly v. State*, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014); *see also Anders*, 386 U.S. at 744.

We have conducted an independent review of the record—including the record of the plea and sentencing proceedings below and 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 that the appeal is frivolous.

We affirm the judgment and grant counsel's motion to withdraw.

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Darlene Byrne, Chief Justice

Before Chief Justice Byrne, Justices Triana and Smith

Affirmed

Do Not Publish

Filed: December 1, 2022