

**NO. 12-08-00003-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

*IN THE MATTER OF S.A.,  
A JUVENILE*

§ *APPEAL FROM THE 145TH*  
§ *JUDICIAL DISTRICT COURT OF*  
§ *NACOGDOCHES COUNTY, TEXAS*

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***MEMORANDUM OPINION***  
***PER CURIAM***

S.A., a juvenile, appeals from an order modifying the disposition of her case and committing her to the Texas Youth Commission. S.A.'s counsel filed a brief in compliance with *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967), and *In re D.A.S.*, 973 S.W.2d 296, 299 (Tex. 1998) (orig. proceeding). We affirm.

**BACKGROUND**

Proceedings in the juvenile court began when the State filed a petition alleging that Appellant had engaged in delinquent conduct or had engaged in conduct indicating a need for supervision. *See* TEX. FAM. CODE ANN. § 53.04(a) (Vernon 2002). The trial court appointed counsel for S.A. After a hearing, the trial court placed S.A. on probation. *See* TEX. FAM. CODE ANN. § 54.04(d)(1) (Vernon Supp. 2007).

The State filed a motion to modify the juvenile court's disposition in this matter. Following a hearing, the trial court expanded the conditions of S.A.'s probation to include a requirement that she attend a program for adolescents. S.A. refused to enroll in that program, and the State again filed a motion to modify the disposition. Following a hearing, the court committed S.A. to the Texas Youth Commission. *See* TEX. FAM. CODE ANN. § 54.05(f) (Vernon Supp. 2007). This appeal followed.

### ANALYSIS PURSUANT TO *ANDERS v. CALIFORNIA*

Appellant's counsel has filed a brief in compliance with *Anders* and *D.A.S.* Counsel states that he has diligently reviewed the appellate record and that he is well acquainted with the facts of this case. Counsel's brief presents a thorough chronological summary of the procedural history of the case and further states that counsel is unable to present any arguable issues for appeal. *See Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969).<sup>1</sup>

We have considered counsel's brief and have conducted our own independent review of the record. *See Anders*, 386 U.S. at 745, 87 S. Ct. at 1400; *see also Penson v. Ohio*, 488 U.S. 75, 80, 109 S. Ct. 346, 350, 102 L. Ed. 2d 300 (1988). We have found no reversible error. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

### CONCLUSION

As required, Appellant's counsel has moved for leave to withdraw. *See Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). Having found no reversible error, we *affirm* the judgment of the juvenile court and *grant* Appellant's counsel's motion for leave to withdraw.

Opinion delivered July 9, 2008.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(PUBLISH)

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<sup>1</sup> Counsel for S.A. certified in his motion to withdraw that he provided S.A. with a copy of this brief. S.A. was given time to file her own brief in this cause. The time for filing such a brief has expired, and we have received no pro se brief.