

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

JUSTIN DALE EUBANK,	§	No. 08-08-00101-CR
	§	
Appellant,	§	Appeal from the
	§	
V.	§	109th District Court
	§	
THE STATE OF TEXAS,	§	of Andrews County, Texas
	§	
Appellee.	§	(TC# 5066)
	§	
	§	

MEMORANDUM OPINION

Justin Dale Eubank appeals his conviction for Escape-causes bodily injury. Appellant was sentenced to 10 years imprisonment in the Texas Department of Criminal Justice Institutional Division.

Appellant's court-appointed counsel has filed a brief in which counsel has concluded that the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493, *reh. denied*, 388 U.S. 924, 87 S.Ct. 2094, 18 L.Ed.2d 1377 (1967), by presenting a professional evaluation of the record demonstrating why, in effect there are no arguable grounds to be advanced. *See High v. State*, 573 S.W.2d 807 (Tex.Crim.App. 1978); *Currie v. State*, 516 S.W.2d 684 (Tex.Crim.App. 1974); *Jackson v. State*, 485 S.W.2d 553 (Tex.Crim.App. 1972); *Gainous v. State*, 436 S.W.2d 137 (Tex.Crim.App. 1969). A copy of counsel's brief has been delivered to Appellant, and Appellant has not exercised his right to file a *pro se* brief.

We have carefully reviewed the record and counsel's brief, and agree that the appeal is wholly frivolous and without merit. Further, we find nothing in the record that might arguably support the appeal. The judgment is affirmed.

We affirm the judgment of the trial court.

August 19, 2009

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Rivera, JJ.

(Do Not Publish)