

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

SCOTT PATRICK HUDSON,	§	No. 08-10-00301-CR
Appellant,	§	Appeal from the
v.	§	277 th Judicial District Court
THE STATE OF TEXAS,	§	of Williamson County, Texas
Appellee.	§	(TC#09-1620-K277)
	§	

MEMORANDUM OPINION

Scott Patrick Hudson appeals his conviction for recklessly causing serious bodily injury to a child, a lesser included offense of the charge contained in the indictment, injury to a child – causing serious bodily injury.¹ Appellant was sentenced to 20 years’ confinement in the Institutional Division of the Texas Department of Criminal Justice. We affirm.

Appellant’s appointed counsel has filed a brief in which he concludes that the appeal presents no non-frivolous issues and is without merit. Appellate counsel states that he has studied the record and has found no error preserved for appeal that could serve as grounds for reversible error. 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, and 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). A copy of counsel’s brief has been delivered to Appellant, and Appellant has been advised of his

right to examine the appellate record and file a *pro se* brief. Appellant has filed a document with the court which we have liberally construed as a *pro se* brief. The State did not file a response to either counsel's *Anders* Brief or Appellant's *pro se* response.

An appellate court may not address the merits of issues raised in an *Anders* brief, or those raised in a *pro se* response. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex.Crim.App. 2005). The Court may only consider: (1) whether the appeal is wholly frivolous, and issue an opinion explaining that we have reviewed the record and found no reversible error; or (2) whether arguable grounds for appeal exist, and if so, remand the case to the trial court so that new counsel may be appointed to address those issues. *Bledsoe*, 178 S.W.3d at 826-27.

Having carefully reviewed the record, counsel's brief, and Appellant's *pro se* response in this case, we agree that the appeal presents no non-frivolous issues and is without merit. Further, we find nothing in the record that might arguably support an appeal. Accordingly, the trial court's judgment is affirmed.

May 9, 2012

CHRISTOPHER ANTCLIFF, Justice

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

(Do Not Publish)

¹ See TEX.PENAL CODE ANN. § 22.04 (West Supp. 2011).