



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

DEVIN CARLMICHAEL JOSEPH,	§	No. 08-15-00233-CR
	§	
Appellant,	§	Appeal from the
	§	
v.	§	194th District Court
	§	
THE STATE OF TEXAS,	§	of Dallas County, Texas
	§	(TC# F-1255348-M)
	§	
Appellee.	§	

MEMORANDUM OPINION

Devin Carlmichael Joseph appeals from a judgment revoking his community supervision and adjudicating him guilty of aggravated robbery. In 2012, Appellant entered a negotiated plea of guilty, and the trial court placed him on deferred adjudication community supervision for ten years. The State subsequently filed a motion to adjudicate guilt alleging several violations of the terms and conditions of community supervision. At the hearing on the State's amended motion to adjudicate guilt, the State withdrew one allegation, and Appellant entered a plea of true to the remaining allegations. The trial court found the allegations true, entered an adjudication of guilt, and assessed Appellant's punishment at imprisonment for a term of thirty-five years. We affirm.

FRIVOLOUS APPEAL

Appellant's court-appointed counsel has filed a brief in which she 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 (1967), by presenting a professional evaluation of the record demonstrating why, in effect, there are no arguable grounds to be advanced. See *In re Schulman*, 252 S.W.3d 403, 406 n.9 (Tex.Crim.App. 2008)(“In Texas, an *Anders* brief need not specifically advance ‘arguable’ points of error if counsel finds none, but it must provide record references to the facts and procedural history and set out pertinent legal authorities.”); *High v. State*, 573 S.W.2d 807 (Tex.Crim.App. 1978). Counsel has notified the Court in writing that she has delivered a copy of counsel’s brief and the motion to withdraw to Appellant, and she has advised Appellant of his right to review the record, file a *pro se* brief, and to seek discretionary review. *Kelly v. State*, 436 S.W.3d 313, 318-20 (Tex.Crim.App. 2014)(setting forth duties of counsel). Counsel also delivered a copy of the record to Appellant for his review, and Appellant has filed a *pro se* brief.

After thoroughly reviewing the appellate record, counsel’s brief, and Appellant’s *pro se* brief, we agree that the appeal is wholly frivolous and without merit. Further, we find nothing in the record that might arguably support the appeal. A further discussion of the issues advanced in Appellant’s *pro se* brief would add nothing to the jurisprudence of the state. The judgment of the trial court is affirmed.

STEVEN L. HUGHES, Justice

March 16, 2016

Before McClure, C.J., Rodriguez, and Hughes, JJ.

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