



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

BRUCE EDWARD HENDERSON,	§	No. 08-15-00297-CR
	§	
Appellant,	§	Appeal from
	§	
v.	§	372nd District Court
	§	
THE STATE OF TEXAS,	§	of Tarrant County, Texas
	§	
Appellee.	§	(TC # 1389910D)
	§	

MEMORANDUM OPINION

Bruce Edward Henderson appeals his conviction of aggravated assault with a deadly weapon, enhanced by a prior felony conviction. Appellant entered a plea of guilty to the charged offense before a jury and the trial court conducted a unitary proceeding. TEX.CODE CRIM.PROC.ANN. art. 26.14 (West 2009); *see Frame v. State*, 615 S.W.2d 766, 767 (Tex.Crim.App. 1981). Appellant also entered a plea of true to the enhancement paragraph. The jury found Appellant guilty, found the enhancement paragraph true, and assessed Appellant's punishment at imprisonment for a term of forty years. We affirm.

FRIVOLOUS APPEAL

Appellant's court-appointed counsel has filed a brief in which he 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, 407 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 he has delivered a copy of counsel’s brief and the motion to withdraw to Appellant, and he 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 provided Appellant with a copy of the appellate record. Appellant has not filed a *pro se* brief.

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

December 21, 2016

ANN CRAWFORD McCLURE, Chief Justice

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

(Do Not Publish)