



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

JEFFREY CHANDLER LEE, a/k/a	§	No. 08-16-00332-CR
JEFF LEE,	§	
	§	Appeal from the
Appellant,	§	
	§	340th District Court
v.	§	
	§	of Tom Green County, Texas
THE STATE OF TEXAS,	§	(TC# C-15-0653-SB)
	§	
Appellee.	§	

MEMORANDUM OPINION

Jeffrey Chandler Lee appeals from a judgment adjudicating him guilty of assault on a member of Appellant's family or household, enhanced to a third-degree felony by a prior family violence assault conviction, and further enhanced under the habitual offender statute by two prior felony convictions. *See* TEX.PENAL CODE ANN. §22.01(b)(2)(A)(West Supp. 2016); TEX.PENAL CODE ANN. §12.42(d)(West Supp. 2016). Appellant waived his right to a jury trial and entered a negotiated plea of guilty to Count I of the indictment and he entered a plea of true to the enhancement paragraphs. The trial court followed the plea bargain and placed Appellant on deferred adjudication community supervision for a term of ten years. Appellant also executed a written waiver of his right to appeal.

The State subsequently filed a motion to adjudicate guilt alleging three violations of the

terms and conditions of community supervision. At the revocation hearing, Appellant entered a plea of true of paragraphs 1 and 3, and the State abandoned paragraph 2. The trial court granted the State's motion, adjudicated Appellant's guilt, and assessed his punishment at imprisonment for a term of twenty-five 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, 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 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). The Court granted Appellant's motion for access to the appellate record and he has filed a *pro se* brief.

After carefully reviewing the record, counsel's brief, and Appellant's *pro se* brief, we conclude that the appeal is wholly frivolous and without merit. Further, we find nothing in the record that might arguably support the appeal. A discussion of the contentions advanced in the *pro se* brief would add nothing to the jurisprudence of the state. The judgment of the trial court is

affirmed.

GINA M. PALAFOX, Justice

October 11, 2017

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

(Do Not Publish)