



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

LEWIS CALVIN PARKER, JR.	§	
A/K/A LEWIS C. PARKER, JR.,		No. 08-17-00081-CR
	§	
Appellant,		Appeal from the
	§	
v.		372nd District Court
	§	
THE STATE OF TEXAS,		of Tarrant County, Texas
	§	
Appellee.		(TC# 1461829D)
	§	

MEMORANDUM OPINION

Lewis Calvin Parker, Jr. a/k/a Lewis C. Parker, Jr. appeals his conviction of possession with intent to deliver more than one but less than four grams of methamphetamine, a lesser-included offense. The indictment alleged that Appellant possessed with intent to deliver more than four but less than 200 grams of methamphetamine. Appellant waived his right to a jury trial, and the case proceeded to trial before the court. The trial court found Appellant guilty of the lesser-included offense and assessed his punishment at imprisonment for eight 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). Appellant did not request access to the record or file a *pro se* brief.

After carefully reviewing the record and counsel’s 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. The judgment of the trial court is affirmed.

GINA M. PALAFOX, Justice

November 17, 2017

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

(Do Not Publish)