



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

BRANNON REIGER,	§	No. 08-20-00107-CR
Appellant,	§	Appeal from the
v.	§	35th District Court
THE STATE OF TEXAS,	§	of Brown County, Texas
Appellee.	§	(TC# CR26265)
	§	

MEMORANDUM OPINION¹

Appellant, Brannon Reiger, appeals his convictions on three counts of sexual assault of a child, a second-degree felony. Counsel for Appellant filed an *Anders* brief. We affirm.

FACTUAL SUMMARY

The grand jury indicted Appellant on three counts of sexual assault of a child, a second-degree felony. Appellant waived his right to a jury trial. Appellant entered an open plea of guilty before the trial judge to all three counts. The trial court proceeded in a unified trial. Based on his guilty plea, the trial court found Appellant guilty on all three counts of sexual assault of a child, as

¹ This case was transferred from the Eleventh Court of Appeals of Texas, our sister court in Eastland. We decide it in accordance with the precedent of that court. TEX. R. APP. P. 41.3.

alleged in the indictments, and sentenced Appellant to eight years' imprisonment in the Institutional Division of the Texas Department of Criminal Justice with no fine imposed.

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 (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. [Panel Op.] 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 motion for pro se access to the appellate record. Appellant has not filed 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.

CONCLUSION

We affirm the trial court's judgment.

GINA M. PALAFOX, Justice

May 25, 2021

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

(Do Not Publish)