

Opinion filed June 30, 2011



In The

Eleventh Court of Appeals

No. 11-11-00024-CR

THANH VU CHRISTIANSON, Appellant

V.

STATE OF TEXAS, Appellee

On Appeal from the 52nd District Court

Coryell County, Texas

Trial Court Cause Nos. FISC-10-20254

MEMORANDUM OPINION

Thanh Vu Christianson entered an open plea of guilty to the offense of continuous sexual abuse of a child. In this regard, he executed a written stipulation wherein he judicially confessed that he “committed the offense as alleged in the indictment/information in this cause.” The trial court accepted appellant’s plea of guilty and sentenced him to confinement in the Institutional Division of the Texas Department of Criminal Justice for a term of forty-five years. We dismiss the appeal.

Appellant’s court-appointed counsel has filed a motion to withdraw. The motion is supported by a brief in which counsel professionally and conscientiously examines the record

and applicable law and states that he has concluded that the appeal is frivolous. Counsel has provided appellant with a copy of the brief and advised appellant of his right to review the record and file a response to counsel's brief. A response has not been filed.¹ Court-appointed counsel has complied with the requirements of *Anders v. California*, 386 U.S. 738 (1967); *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008); *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978); *Currie v. State*, 516 S.W.2d 684 (Tex. Crim. App. 1974); *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969); and *Eaden v. State*, 161 S.W.3d 173 (Tex. App.—Eastland 2005, no pet.). Following the procedures outlined in *Anders* and *Schulman*, we have independently reviewed the record, and we agree that the appeal is without merit and should be dismissed. *Schulman*, 252 S.W.3d at 409.

We note that counsel has the responsibility to advise appellant that he may file a petition for discretionary review with the clerk of this court seeking review by the Texas Court of Criminal Appeals. TEX. R. APP. P. 48.4 (“In criminal cases, the attorney representing the defendant on appeal shall, within five days after the opinion is handed down, send his client a copy of the opinion and judgment, along with notification of the defendant's right to file a *pro se* petition for discretionary review under Rule 68.”). Likewise, this court advises appellant that he may file a petition for discretionary review pursuant to TEX. R. APP. P. 68.

The motion to withdraw is granted, and the appeal is dismissed.

PER CURIAM

June 30, 2011

Do not publish. *See* TEX. R. APP. P. 47.2(b).

Panel² consists of: Wright, C.J.,
McCall, J., and Hill, J.³

¹By letter, this court granted appellant thirty days in which to exercise his right to file a response to counsel's brief.

²Rick Strange, Justice, resigned effective April 17, 2011. The justice position is vacant pending appointment of a successor by the governor.

³John G. Hill, Former Justice, Court of Appeals, 2nd District of Texas at Fort Worth, sitting by assignment.