

Opinion filed April 11, 2013



In The

# **Eleventh Court of Appeals**

\_\_\_\_\_  
No. 11-12-00203-CV  
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**IN THE MATTER OF S.M., A JUVENILE**

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**On Appeal from the County Court at Law No. 1**

**Bell County, Texas**

**Trial Court Cause No. 69,915**

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## **MEMORANDUM OPINION**

S.M., a juvenile, appeals the trial court's order modifying a prior juvenile disposition. In the modified order, the trial court committed her to the Texas Juvenile Justice Department for an indeterminate amount of time not to exceed her nineteenth birthday. We dismiss the appeal.

S.M.'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. In this regard, the Texas Supreme Court has previously determined that the procedures set out in *Anders v. California*, 386 U.S. 738 (1967), are applicable to juvenile proceedings. See *In re D.A.S.*, 973 S.W.2d 296, 299 (Tex. 1998).

Counsel has provided S.M. and her parent with a copy of the brief and advised them of her right to review the record and file a response to counsel's brief. A response has not been

filed.<sup>1</sup> Court-appointed counsel has complied with the requirements of *Anders*. See *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); *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 direct counsel to advise S.M. and her parent that she may file a petition for review with the clerk of the Texas Supreme Court seeking review by that court. Likewise, this court advises S.M. and her parent that she may file a petition for review pursuant to TEX. R. APP. P. 53.

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

PER CURIAM

April 11, 2013

Panel consists of: Wright, C.J.,  
McCall, J., and Willson, J.

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<sup>1</sup>By letter, this court granted S.M. more than thirty days in which to exercise her right to file a response to counsel's brief.