

Opinion filed November 7, 2019



In The  
**Eleventh Court of Appeals**

---

No. 11-19-00206-CR

---

**CODY ALLEN ANDERSON, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

---

**On Appeal from the 104th District Court  
Taylor County, Texas  
Trial Court Cause No. 20672B**

---

---

**MEMORANDUM OPINION**

Appellant, Cody Allen Anderson, originally pleaded guilty to the second-degree felony offense of aggravated assault. *See* TEX. PENAL CODE ANN. § 22.02(a) (West 2019). Pursuant to the terms of the plea agreement, the trial court deferred a finding of guilt, placed Appellant on community supervision for ten years, and imposed a fine of \$750. The State subsequently filed a motion to revoke Appellant's community supervision and adjudicate his guilt. At a hearing on that motion, the State waived one of its twenty-eight allegations, and Appellant pleaded true to the

remaining allegations. The trial court found those allegations to be true, revoked Appellant's community supervision, adjudicated Appellant guilty of the charged offense, ordered a presentence investigation report, conducted a punishment hearing, and assessed Appellant's punishment at confinement for twenty years. We affirm.

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 this appeal is frivolous and without merit. Counsel has provided Appellant with a copy of the brief, a copy of the motion to withdraw, an explanatory letter, and a copy of the clerk's record and the reporter's record. Counsel advised Appellant of his right to review the record and file a response to counsel's brief. Counsel also advised Appellant of his right to file a pro se petition for discretionary review in order to seek review by the Texas Court of Criminal Appeals. *See* TEX. R. APP. P. 68. Court-appointed counsel has complied with the requirements of *Anders v. California*, 386 U.S. 738 (1967); *Kelly v. State*, 436 S.W.3d 313 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008); and *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991).

Appellant has not filed a response to counsel's *Anders* brief. Following the procedures outlined in *Anders* and *Schulman*, we have independently reviewed the record, and we agree that the appeal is without merit. We note that proof of one violation of the terms and conditions of community supervision is sufficient to support revocation. *Smith v. State*, 286 S.W.3d 333, 342 (Tex. Crim. App. 2009). In this regard, a plea of true standing alone is sufficient to support a trial court's decision to revoke community supervision and proceed with an adjudication of guilt. *See Moses v. State*, 590 S.W.2d 469, 470 (Tex. Crim. App. [Panel Op.] 1979). Furthermore, absent a void judgment, issues relating to an original plea proceeding may not be raised in a subsequent appeal from the revocation of community

supervision and adjudication of guilt. *Jordan v. State*, 54 S.W.3d 783, 785–86 (Tex. Crim. App. 2001); *Manuel v. State*, 994 S.W.2d 658, 661–62 (Tex. Crim. App. 1999). Based upon our review of the record, we agree with counsel that no arguable grounds for appeal exist.<sup>1</sup>

The motion to withdraw is granted, and the judgment of the trial court is affirmed.

PER CURIAM

November 7, 2019

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

Panel consists of: Bailey, C.J.,  
Stretcher, J., and Wright, S.C.J.<sup>2</sup>

Willson, J., not participating.

---

<sup>1</sup>We note that Appellant has a right to file a petition for discretionary review pursuant to TEX. R. APP. P. 68.

<sup>2</sup>Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.