



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-11-00897-CR

ESTEBAN ASTRAN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 363rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F09-72624-W

MEMORANDUM OPINION

Before Justices Moseley, Fillmore, and Myers
Opinion By Justice Moseley

Esteban Astran waived a jury and pleaded guilty to indecency with a child. *See* TEX. PENAL CODE ANN. § 21.11(a) (West 2011). The trial court assessed punishment at ten years' imprisonment. On appeal, appellant's attorney filed a brief in which he concludes the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). The brief presents a professional evaluation of the record showing why, in effect, there are no arguable grounds to advance. *See High v. State*, 573 S.W.2d 807, 811 (Tex. Crim. App. [Panel Op.] 1978). Counsel delivered a copy of the brief to appellant.

Appellant filed a pro se response raising several issues. A court of appeals is not required to

address the merits of claims raised in a pro se response. *See Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005) (explaining appellate court's duty in *Anders* cases). Rather, the Court's duty is to determine whether there are any arguable issues, and, if so, to remand the case to the trial court so that new counsel may be appointed to address those issues. *Id.*

After reviewing counsel's brief, appellant's pro se response, and the record, we agree the appeal is frivolous and without merit. We find nothing in the record that might arguably support the appeal.

We affirm the trial court's judgment.

JIM MOSELEY
JUSTICE

Do Not Publish
TEX. R. APP. P. 47
110897F.U05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ESTEBAN ASTRAN, Appellant

No. 05-11-00897-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 363rd Judicial District Court
of Dallas County, Texas. (Tr.Ct.No. F09-
72624-W).

Opinion delivered by Justice Moseley,
Justices Fillmore and Myers participating.

Based on the Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

Judgment entered November 16, 2012.

/Jim Moseley/
JIM MOSELEY
JUSTICE