

AFFIRM; Opinion issued April 5, 2013



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

No. 05-11-01712-CR

SHELDON DAMON ROBERTS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 283rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F04-73256-T**

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Myers and Evans
Opinion by Chief Justice Wright

A jury convicted Sheldon Damon Roberts of capital murder, and the trial court assessed punishment at life imprisonment. *See* TEX. PENAL CODE ANN. § 19.03(a)(7) (West Supp. 2012). The Sixth District Court of Appeals¹ affirmed the conviction and sentence, but the Court of Criminal Appeals reversed the judgment as to capital murder, affirmed the conviction for the lesser-included offense of murder, and remanded to the trial court for assessment of punishment. *See Roberts v. State*, No. 06-05-00165-CR, 2007 WL 1702771 (Tex. App.—Texarkana June 14,

¹ The appeal of the original conviction was transferred from this Court to the Sixth District Court of Appeals pursuant to a docket equalization order.

2007), *rev'd*, 273 S.W.3d 322 (Tex. Crim. App. 2008). After a hearing on remand, the trial court assessed punishment at life imprisonment. On appeal, appellant's attorney filed a brief in which she 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. We advised appellant of his right to file a pro se response, but he did not file a pro se response.

We have reviewed the record and counsel's brief. *See Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005) (explaining appellate court's duty in *Anders* cases). 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.

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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

JUDGMENT

SHELDON DAMON ROBERTS,
Appellant

No. 05-11-01712-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 283rd Judicial District
Court of Dallas County, Texas (Tr.Ct.No.
F04-73256-T).

Opinion delivered by Chief Justice Wright,
Justices Myers and Evans participating.

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

Judgment entered April 5, 2013.

/Carolyn Wright/

CAROLYN WRIGHT
CHIEF JUSTICE