#### AFFIRM; and Opinion issued March 1, 2013.



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

#### No. 05-12-00733-CR

#### DOMINGO SANTINO CARVAJAL, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 265th Judicial District Court Dallas County, Texas Trial Court Cause No. F10-52736-R

#### **MEMORANDUM OPINION**

Before Justices Moseley, O'Neill, and Lewis Opinion by Justice Lewis

Domingo Santino Carvajal appeals from the revocation of his community supervision. The trial court convicted appellant of felony DWI and assessed punishment at ten years' imprisonment. *See* TEX. PENAL CODE ANN. § 49.04(a), 49.09(b)(2) (West Supp. 2012). 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.

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DAVID LEWIS JUSTICE

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# Court of Appeals Fifth District of Texas at Dallas

### JUDGMENT

DOMINGO SANTINO CARVAJAL, Appellant

No. 05-12-00733-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 265th Judicial District Court of Dallas County, Texas (Tr.Ct.No. F10-52736-R). Opinion delivered by Justice Lewis, Justices Moseley and O'Neill participating.

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

Judgment entered March 1, 2013.

DAVID LEWIS JUSTICE