

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

No. 05-12-01340-CR

## KEITH DESHUN SMITH, Appellant

V.

## THE STATE OF TEXAS, Appellee

On Appeal from the 283rd Judicial District Court Dallas County, Texas Trial Court Cause No. F10-62369-T

#### MEMORANDUM OPINION

Before Justices Francis, Lang, and Evans Opinion by Justice Lang

Keith DeShun Smith appeals from the adjudication of his guilt for aggravated robbery with a deadly weapon, a knife. *See* TEX. PENAL CODE ANN. § 29.03(a) (West 2011). The trial court assessed punishment at twenty-five 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. 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.

DOUGLAS S. LANG

JUSTICE

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# Court of Appeals Fifth District of Texas at Dallas

### **JUDGMENT**

KEITH DESHUN SMITH, Appellant

No. 05-12-01340-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 283rd Judicial District Court of Dallas County, Texas (Tr.Ct.No. F10-62369-T).

Opinion delivered by Justice Lang, Justices

Francis and Evans participating.

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

Judgment entered March 29, 2013.

DOUGLAS S. LANG

JUSTICE