

**AFFIRM; and Opinion filed October 30, 2013.**



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

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**No. 05-13-00649-CR**

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**JASON RAY SMITH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 204th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. F08-14302-Q**

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**MEMORANDUM OPINION**

Before Justices Moseley, Lang, and Brown  
Opinion by Justice Brown

Jason Ray Smith appeals from the adjudication of his guilt for burglary of a habitation. *See* TEX. PENAL CODE ANN. § 30.02(a) (West 2011). The trial court assessed punishment at eight years' 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.

/Ada Brown/

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ADA BROWN

JUSTICE

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TEX. R. APP. P. 47

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

JUDGMENT

JASON RAY SMITH, Appellant

No. 05-13-00649-CR      V.

THE STATE OF TEXAS, Appellee

Appeal from the 204th Judicial District  
Court of Dallas County, Texas (Tr.Ct.No.  
F08-14302-Q).

Opinion delivered by Justice Brown,  
Justices Moseley and Lang participating.

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

Judgment entered October 30, 2013.

/Ada Brown/

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ADA BROWN  
JUSTICE